

the Cannon Office Building, his passing is a special loss to me.

Bill was born in Putnam, Conn., October 9, 1914, an area that he served for life. He graduated from Tufts College in 1941, and from the University of Connecticut School of Law in 1948. During World War II, he served in North Africa and Europe.

Bill devoted his life to public service. He was a man intimately acquainted with his constituency. He served as mayor of Putnam, judge of the city court of Putnam, prosecutor of the city court of Putnam, chairman and executive director of redevelopment agency of the city of Putnam, a member of the board of education, judge of probate, and State representative.

Bill and I came to the 88th Congress together. Since that time, I developed a deep respect for his talents and legislative ability. He was reelected to the 89th, 90th, and 91st Congresses. He served ably on the Judiciary Committee and the Merchant Marine and Fisheries Committee.

I am thankful that I had the privilege to know Bill. I shall deeply miss him as a colleague and friend.

A FATHER WRITES HIS SONS

HON. ED FOREMAN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 1970

Mr. FOREMAN. Mr. Speaker, I have received a copy of a letter written by Mr. Rich Sims, of Las Cruces, to his two stepsons, Ray and Jerry Boles, which

clearly expresses the feeling of many parents and others as we view the so-called student unrest of a highly publicized, very small, disruptive, destructive minority among some of the youth today. I include it for the review of my colleagues:

DEAR RAY AND JERRY: You have both been in my thoughts almost constantly in the past few days. This letter has been anticipated since the Kent State incident several days ago; however, the thoughts and feelings have been in my mind for years.

How proud I am to be your step-father. Randy, you have been a good productive citizen since you got out of school and now you are serving our country in the U.S. Navy; and, Jerry, you have passed your physical and while waiting to serve your country, you're working and paying your own way.

These dissident students who are directly responsible for most of the violence and disruptions here at home are proving very emphatically that they don't have the capacity to govern a free democratic country. Thank God they are a minority of the students, although even if they were a vast majority, the group would still be a small minority of this still great and free country. Have they become so self-righteous that they think they are the chosen ones who have finally come along to take over the government of the United States through violence rather than in the voting booth?

"While they are feverishly working to undermine, destroy and then take over the country you guys are going about the business of being good Americans, just as your mother, stepmother, your dad and I have done—and our parents and their's before them. And that includes working to make this a more productive and progressive country through free enterprise and serving our country militarily to preserve our rights, your rights and your children's rights to choose, as free people, how this country should be run through the only proven way

ever discovered—the ballot box, with peaceful and fair elections, where the majority not the minority, governs.

"You guys are great. You know what it means to be an American and even though you may not understand everything that is happening, your confidence in the older generation gives you the patience to wait till your generation is the majority in the polling places.

"When your dad and I were your age, we didn't fully understand all that was going on, however one thing we knew for certain was that other people, Godless people were, trying to take our great nation from us from without, and I could safely assume that over 90 per cent of the men and women in America would have gladly given their lives to protect it; tens of thousands did. Your dad fought all the way up the Western Pacific to Iowa Jima in the Marine Corps to preserve your right to be free to choose how this country would be run, and soon it will be your responsibility. We know you will do it well.

"Now a few radical dissidents are trying to take our country from us, from within through violence. They are impatient, too unjust, too unfair to try and do so as free men should, through the electorate. They are like Hitler, they want to take it period, by force or by any other way.

"The dissident is a different kind of enemy and he fights in different ways, but it is your time to protect this country, you must do whatever necessary to stop him and you must do it soon, or there will be no more freedom and no more majority rule. You and your children will live under a dictatorship of some kind.

"Your dad and I fought and worked for this country, we will do it again if we have to. I don't think you'll need our help but if you do you can count on us 100 per cent.

"We all love you; we are proud of you. We are glad you are not part of that misdirected group and we know we are in good hands—YOUR HANDS."

RICH SIMS.

SENATE—Friday, May 22, 1970

The Senate met at 12 o'clock noon and was called to order by the Acting President pro tempore (Mr. METCALF).

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

O Lord our God, draw near to us as we draw near to Thee. Create in us a clean heart and renew a right spirit within us, that we may strive with fresh purpose and renewed determination for the things which pass not away, but endure as Thou endurest forever.

Impart to us the grace to stand for what is right, the grace to treat others as we would have others treat us, the grace of charity that we may refrain from hasty judgment, the grace of compassion toward the weak, the grace to use power for moral purposes, and the grace to labor in season and out, for that kingdom of truth and righteousness whose builder and maker is God. Amen.

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore (Mr. METCALF) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received today, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 17138) to amend the District of Columbia Police and Firemen's Salary Act of 1958 and the District of Columbia Teachers' Salary Act of 1955 to increase salaries, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McMILLAN, Mr. ABERNETHY, Mr. DOWDY, Mr. FUQUA, Mr. CABELL, Mr. NELSEN, Mr. BROYHILL of Virginia, Mr. HARSHA, and Mr. HOGAN, were appointed managers on the part of the House at the conference.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, May 21, 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.

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.

ORDER FOR ADJOURNMENT UNTIL MONDAY, MAY 25, 1970

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 on Monday next.

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

(Subsequently, this order was modified to provide for the Senate to adjourn to 11:30 a.m. on Monday next.)

THE CALENDAR

Mr. MANSFIELD. Mr. President, without in any way infringing upon the Pastore rule of germaneness, so that it will not be applicable, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 889, 890, and 891.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered, and the Pastore rule of germaneness, as requested by the majority leader, will not be affected by the action of the Senate.

CENTRAL AND WESTERN PACIFIC TUNA FISHERY DEVELOPMENT ACT

The bill (S. 3176) to authorize a program for the development of a tuna fishery in the Central and Western Pacific Ocean was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3176

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Central and Western Pacific Tuna Fishery Development Act".

SEC. 2. The Secretary of the Interior is authorized to carry out, directly or by contract, a three-year program for the development of the latent tuna resources of the Central and Western Pacific Ocean. The program shall include but not be limited to tuna exploration and tuna stock assessment, improvement of harvesting techniques, gear development, biological resource monitoring, and an economic evaluation of the potential for a tuna fishery in such area.

SEC. 3. In carrying out the purposes of this Act, the Secretary of the Interior shall consult and cooperate with the State of Hawaii, the governments of American Samoa and Guam, and the Office of the High Commissioner of the Trust Territory of the Pacific Islands, educational institutions, and the commercial fishing industry.

SEC. 4. The Secretary of the Interior shall submit to the President and the Congress, not later than June 30, 1973, a complete report with respect to his activities pursuant to this Act, the results of such activities, and any recommendations he may have as a result of such activities.

SEC. 5. There is authorized to be appropriated for the period beginning July 1, 1970, and ending June 30, 1973, the sum of \$3,000,000 to carry out the purposes of this Act. Sums appropriated pursuant to this section shall remain available until expended.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-887), explaining the purposes of the measure.

There being no objection, the excerpt

was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE LEGISLATION

The purpose of the bill is to authorize the Secretary of the Interior to institute a 3-year program for the development of latent tuna resources of the central and western Pacific. In doing so the bill also would authorize to be appropriated for the period July 1, 1970, to June 30, 1973, the sum of \$3 million to remain available until expended.

BACKGROUND AND NEED FOR THE LEGISLATION

Although research programs indicate that the central and western Pacific Ocean is a potentially rich harvesting ground for skipjack tuna, harvesting techniques have not been developed to allow proper development. In September of last year a study group of professionals prepared a report for the State of Hawaii entitled "Hawaii and the Sea," a section of which discussed the skipjack as the "last great underdeveloped tuna resource in the Pacific Ocean."

In Hawaii the inefficient pole-and-line, bait-fishing method is still being used. Although purse seine methods are being used effectively in the eastern Pacific, they have not yet been introduced in the central and western Pacific. Different environmental factors will require extensive field trials to develop techniques suitable for those areas.

Testimony before the committee indicates that most of the Pacific island groups are hardpressed economically, and a catch of only 100,000 tons of skipjack tuna at today's prices would bring fishermen almost \$25 million and processors almost \$62 million. At retail level this would have a value of \$100 million.

The bill proposes an investment of \$3 million for a 3-year research program. By one calculation, the payoff in 10 years of operation—assuming an industry yield of even a modest 30,000 tons of skipjack a year having a retail value of \$30 million—would be an astounding \$100 for each \$1 invested in research.

COST OF THE LEGISLATION

The bill would authorize to be appropriated for the period beginning July 1, 1970, and ending June 30, 1973, the sum of \$3 million to carry out the purposes of this act.

U.S. FISHING FLEET IMPROVEMENT

The Senate proceeded to consider the bill (H.R. 4813) to extend the provisions of the U.S. Fishing Fleet Improvement Act, as amended, and for other purposes, which had been reported from the Committee on Commerce, with amendments, on page 6, line 21, after the word "years", strike out "1970 and 1971", and insert "1970, 1971, and 1972,"; on page 7, at the beginning of line 3, strike out "'1971.'" and insert "'1972.'"; on page 7, after line 3, strike out:

SEC. 9. The Secretary of the Interior, in consultation with the Maritime Administrator, other interested Federal agencies, and interested professional and industrial organizations knowledgeable about United States commercial fishing vessels and their operations, and other persons, shall conduct a study (1) on the need for, and desirability of, measures to make available at lower costs insurance for such vessels and their employees, (2) on means and measures to improve the design of United States fishing vessels and equipment to make available as much information as possible to lower the costs of constructing or remodeling such vessels, (3) on the need for, and desirability of, provision for trading in existing fishing vessels, (4) on means and measures for improving the safety and efficiency of existing fishing vessels, and (5) on the need for, and

desirability of, authorizing the establishment of a construction reserve fund for fishing vessels documented under the laws of the United States for the purposes of promoting the construction, reconstruction, or acquisition of fishing vessels. The Secretary shall submit, through the President, to the Congress a report together with his recommendations not later than January 1, 1971. There is authorized to be appropriated \$125,000 for fiscal year 1970 and \$100,000 for fiscal year 1971 to carry out the purposes of this section.

And on page 8, at the beginning of line 3, change the section number from "10" to "9".

The amendments were agreed to.

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

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-888), explaining the purposes of the measure.

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

PURPOSE OF THE BILL

The purpose of H.R. 4813 is to extend and to broaden the construction assistance program under the United States Fishing Fleet Improvement Act to include reconditioning, conversion, and remodeling; increase the authorization for appropriation from \$10 million to \$20 million per year; provide for a class differential rather than the present individual determination, and eliminate several time-consuming provisions resulting in savings of time and administrative costs.

BACKGROUND AND NEED FOR THE LEGISLATION

Existing law prohibits the documentation of a foreign-built fishing vessel as a vessel of the United States and the landing of its catch at a U.S. port. Accordingly, a U.S. fisherman must have his vessel constructed here, even though the cost is much greater than that of his foreign competitors. As a result the average age of U.S. fishing vessels is over 20 years while most foreign vessels fishing off our coasts are newer and more modern.

The United States Fishing Fleet Improvement Act was designed to assist in upgrading the domestic fishing fleet to improve its competitive position. This is accomplished by paying a construction differential subsidy equal to the difference between the cost of construction of the vessel in the domestic shipyard submitting the low bid and the estimated cost of constructing the same vessel in a foreign yard.

Since August 30, 1964, when the act was last substantially amended, 119 applications for subsidies have been received. Contracts have been signed for the construction of 32 vessels with subsidies totaling \$19,646,000. Of these, 25 have been delivered and seven are under construction. Invitations to bid have been issued on three additional vessels.

EXPLANATION OF AMENDMENTS

The effect of the first two committee amendments is to provide 1 additional fiscal year authorization for appropriation and to authorize the Secretary to accept applications for 1 more year. This was done in recognition of the fact that one of the 2 fiscal years, 1970, in the bill as referred to the committee is about concluded. It is in keeping with the recognized need for an adequate time period permitting the program to move forward in an orderly fashion.

The third amendment struck section 9 in its entirety and appropriately redesignated the remaining section. This section would have authorized the Secretary to make cer-

tain studies. Your committee did not feel such specific study authority was necessary or warranted by virtue of the associated costs.

WILLIAM "BILL" DANNELLY RESERVOIR

The bill (S. 528) to provide that the reservoir formed by the lock and dam referred to as the Miller's Ferry lock and dam on the Alabama River, Ala., shall hereafter be known as the William "Bill" Dannelly Reservoir was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 528

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in honor of late Probate Judge William "Bill" Dannelly of Wilcox County, Alabama, and in recognition of his long and outstanding service to his county, State, and Nation, and his leadership in the modernization of the Alabama-Coosa Waterway, the reservoir formed by the Millers Ferry lock and dam on the Alabama River, Alabama, shall hereafter be known and designated as the William "Bill" Dannelly Reservoir. Any law, regulation, map, or record of the United States in which such reservoir is referred to shall be held and considered to refer to such reservoir by the name of the William "Bill" Dannelly Reservoir.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-889), explaining the purposes of the measure.

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

PURPOSE OF THE BILL

The purpose of this legislation is to change the name the Millers Ferry lock and dam, Alabama River, Ala., to the William "Bill" Dannelly Reservoir.

GENERAL STATEMENT

The Millers Ferry lock and dam is part of the Alabama-Coosa River system. The lock and dam is located in Wilcox County at mile 142.2 on the Alabama River. The reservoir formed by the lock and dam will be 105 miles long. The current name is taken from Millers Ferry, a little settlement near the site. Construction was initiated in April 1963 and is nearing completion.

Probate Judge William "Bill" Dannelly, a native Alabamian, was born in Camden, Wilcox County, Ala., in 1911. Judge Dannelly died in January 1969. Throughout his life, Judge Dannelly was active in the civic, religious and political life of Wilcox County. Judge Dannelly was elected judge of probate of Wilcox County in 1958 and reelected in 1964. As chairman of the board of commissioners and Wilcox County industrial committee, he was successful in locating several industries in Wilcox County. Also he was a member of the board of directors of the Coosa-Alabama River Improvement Association and served as a member of eight delegations appearing before congressional committees to expedite the comprehensive development of the Alabama-Coosa River system.

ESTIMATED COST TO THE UNITED STATES IF LEGISLATION IS ENACTED

Enactment of this legislation will not result in any cost to the United States.

VIEWES OF THE FEDERAL AGENCIES

The Department of the Army, Department of Interior and the Bureau of the Budget offer no objection to enactment of this bill.

COMMITTEE VIEWS

The committee notes the role that Judge Dannelly has played in the development of the water resources of the Alabama-Coosa River Basin and considers it desirable and fitting to designate one of the structures in the river system in his honor. Accordingly, early enactment of S. 528 is recommended.

CLIFFORD R. HOPE

Mr. DOLE, Mr. President, hundreds of tributes have been paid Clifford R. Hope, Sr., who passed away last Saturday.

As has been stated by both the majority and minority leaders, Cliff Hope was an outstanding American. As has been stated by the senior Senator from Vermont (Mr. AIKEN), Cliff Hope was a leader in America in the field of agriculture.

I ask unanimous consent to have printed in the RECORD two editorials eulogizing Clifford Hope; one, from the Kansas City Times of May 20, 1970, entitled "Cliff Hope Knew Agriculture," and the other from the Wichita Eagle of May 19, entitled "Clifford R. Hope, Sr."

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

[From the Kansas City Times, May 20, 1970]

CLIFF HOPE KNEW AGRICULTURE

For many years the name of Clifford R. Hope was almost synonymous with agriculture in Congress. During his 30 years in the House of Representatives, from 1927 until his voluntary retirement January 3, 1957, the Kansan who died Saturday at Garden City served on the agriculture committee. He was its chairman in the 80th Congress, 1947-48, and in the 83rd Congress, 1953-54. Other years he was the ranking Republican on the committee.

Mr. Hope served in Congress in the long period when farm legislation was a major issue and when the farm programs were in the process of development. Unquestionably, he was a leader in what was known as the farm bloc. As a representative of a major wheat area (Southwest Kansas) Mr. Hope became a student of government farm programs. Never vindictive and always quietly persuasive, he became so highly respected in the agricultural field that his legislative influence was magnified many times. Urban congressmen freely admitted they followed Cliff Hope's advice. Despite all the controversies, he managed to get along with members of both political parties and it was said that he did more to make farm legislation nonpartisan than any other member of Congress.

A few years ago a member of Congress was asked what criticism he had of Clifford Hope.

"He's too much of a gentleman," was the reply.

That criticism, if it could be called such, typified the general regard for the Kansan who worked long and diligently, but quietly, to get party income for the nation's farmers.

The esteem in which he was held perhaps could be no more practically illustrated than recalling that Clifford Hope was elected to 15 consecutive 2-year terms to Congress, serving longer than any other Kansan in the House of Representatives.

[From the Wichita (Kans.) Eagle, May 19, 1970]

CLIFFORD R. HOPE, SR.

Clifford R. Hope Sr., died Saturday night at Garden City after a life filled with accomplishment and service to others and honors.

He served this state and his nation in

Congress longer than any other Kansan ever has—30 years. Had he chosen to do so he doubtless could have continued that service until the day of his death, for he was not only respected by his constituents, he was revered and loved by them.

During the dusty, drouthy 1930s Hope was ranking Republican on the House agriculture committee, and he was instrumental in conceiving and bringing to being the farm programs that helped to restore a measure of prosperity to stricken farmers. His agricultural expertise and his quiet but authoritative manner won him the admiration of his congressional colleagues, and the prestige that he enjoyed in the House has rarely been exceeded by any congressman from any state.

After his three decades in Congress, Mr. Hope returned to Garden City, and quickly helped to organize Great Plains Wheat Inc., an organization to promote use and sales of wheat over the world. He was its first president. He continued active in community and regional affairs until his disabling illness in February.

He served so long in Congress that many Kansans had forgotten his three terms in the Kansas House of Representatives, his Army duty in World War I, and his practice of law, which he gave up when he was elected to Congress.

He was powerful in the councils of the Republican party in Kansas, and at the time of his death was one of its elder statesmen.

Cliff Hope was a remarkable citizen whose presence in Kansas enriched our state, and whose wisdom in Congress enlightened its actions.

KANSAS DEPARTMENT OF THE AMERICAN LEGION RESOLUTION ON CAMBODIA

Mr. DOLE, Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Kansas Department of the American Legion, in Topeka, Kans., on May 17, 1970, expressing wholehearted support for the action taken by President Nixon in Cambodia, on the basis it will shorten the war and permit the President to extricate us from South Vietnam.

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

RESOLUTION No. 14

Whereas, negotiations with the North Vietnamese and Vietcong delegations in Paris for a political settlement of the Vietnam conflict have failed to produce any results whatever; and

Whereas, the enemy has not only greatly stepped up its offensive military action in South Vietnam, but has also expanded the area of its aggressive operations into Laos and Cambodia; and

Whereas, the enemy's intensification of the conflict in the whole of Indochina seriously endangers the success of our Vietnamization program and threatens the safety of the remaining American and allied troops in South Vietnam; and

Whereas, the President of the United States has initiated a program for the elimination of enemy sanctuaries presently enjoyed and utilized to a high degree, thwarting our efforts to achieve victory in Vietnam; now, therefore, be it

Resolved, that the Kansas department of the American Legion in regular convention assembled in Topeka, Kansas, May 17, 1970, that we express the wholehearted support of the American Legion of the President's decision to eliminate Communist military sanctuaries in Cambodia and we call upon the Members of Congress and the American

people as a whole to give it the same support; and be it

Further resolved: that the American Legion urges the President to take further action, as and when he deems it essential to the safety of our troops in South Vietnam and to the successful prosecution of that conflict, to eliminate, by military action all enemy sanctuaries, installations and areas wherever situated that afford actual or potential bases for enemy action against our forces and those of our allies; and be it

Further resolved: that the necessary military action be taken for the sole purpose of hastening the cessation of fighting and inducing the acceleration of those political conversations that will secure a lasting and honorable peace.

ORDER OF BUSINESS

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

The PRESIDING OFFICER (Mr. ALLEN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

GAMBLE IN CAMBODIA SHOWS TREMENDOUS PROMISE

Mr. DOMINICK. Mr. President, one of the most knowledgeable columnists we have on Southeast Asian affairs today is Joseph Alsop.

This morning's Washington Post publishes a very good article written by him entitled "Nixon's Gamble in Cambodia Shows Tremendous Promise."

I have had an opportunity to read the article and I think it sets out a great many of the facts which have been subject to dispute by many people during the past few weeks, at least.

I believe that this editorial would be valuable in the CONGRESSIONAL RECORD. So that everyone will have an opportunity to read it, 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:

NIXON'S GAMBLE IN CAMBODIA SHOWS TREMENDOUS PROMISE
(By Joseph Alsop)

First, some facts:

Item: The South Vietnamese and U.S. troops in Cambodia have taken above 10,000 individual and crew-served weapons—or about two years of resupply for all the 101 enemy battalions in the southern half of South Vietnam.

Item: They have also taken above 11.5 million rounds of rifle and machine-gun ammunition—or about a year and a half's supply for all these enemy battalions in III and IV Corps.

Item: Of rocket, mortar and recoilless rifle rounds, they have taken well above 50,000—or enough for about 6,000 of the little attacks by fire which are customarily reported as great enemy "offensives" when they are bunched together in a "high point." By the standards of the high points of the last six months, the North Vietnamese have therefore lost the essential ingredients for over eight years of these pseudo-offensives.

Item: Some 7,000 enemy troops have also

been killed, and 1,731 have been taken prisoner, against negligible U.S. losses and quite small South Vietnamese losses. In numbers, the enemy losses are nearly equivalent to the whole of one of the three North Vietnamese divisions Hanoi had stationed in the Cambodian sanctuaries.

To these remarkable totals far more could be added. But there is enough here, first of all, to prove that President Nixon's courageous gamble in Cambodia is currently being as grossly misrepresented as the enemy's desperate offensive at Tet, in 1968. One case is in fact the reverse of the other.

Tet was initially portrayed as gigantic disaster for the United States and its allies. In the outcome, it proved to be a gigantic disaster for Hanoi. As to the Cambodian gamble, although the final outcome must be awaited, it is currently being portrayed as a sad failure. Yet on the basis of the results to date, it promises to be the most brilliant feat of U.S. arms since the Inchon landing in Korea.

Almost better still it promises to be a brilliant feat of South Vietnamese arms. Here there is another irony. The same disaster-mongers who misrepresented Tet and are now misrepresenting Cambodia, used to have an easy way of spending a dull day. On such days, they would describe the cowardice and incompetence of the South Vietnamese 25th Division.

In the present offensive, this was the point division and its officers and men have fought with conspicuous courage and efficiency. But so far as one knows, none of the disaster-mongers has made a public apology to the ARVN 25th, or indeed to any of the other South Vietnamese troops who have been doing equally well. Yet the general excellence of ARVN's performance in Cambodia again ought to be news by any standard, especially in view of the President's Vietnamization program.

There are some pretty ugly things one is tempted to say about all this. But it is perhaps better to examine the reasons the Cambodian gamble now has such tremendous promise.

It will no doubt come as news to many senators, but the fact is that even the enemy's troops really cannot go on fighting without guns and ammunition. In Cambodia, we have now scooped up all the guns and ammunition and many other things that were destined to nourish the enemy's war in III and IV Corps for much more than a year.

Unless Hanoi can perform miracles of resupply, therefore, the war in the lower half of South Vietnam should now begin to wither away by stages. Genuine miracles will be needed to avert this result, moreover, because there is no doubt, any longer, that virtually all the supply for III and IV Corps has been coming by sea, through the Cambodian ports, for a very long time.

This is proved by the labels in the caches in the sanctuaries; and this lends enormous significance to another crucial fact. The President's gamble has decisively closed the Cambodian ports to the enemy, and it can be flatly predicted they will be kept closed, no matter what happens.

No increase of effort on the Laos trails can possibly compensate the enemy for the loss of Sihanoukville. This loss, in fact, should be even more upsetting to the Hanoi war-planners than their loss of far more than a year's supply for their units in III and IV Corps.

The North Vietnamese troops in Cambodia, finally, have been giving every sign of desperate disorganization, to the point of repeated disobedience of the anguished orders of the high command. Despite further misrepresentation on this head, moreover, there is no shadow of a present threat to Phnom Penh.

But the future of the Lon Nol government at Phnom Penh remains the uncertain factor. This is what makes it needful to wait

and see whether the Cambodian gamble will finally fulfill all of its present promise.

REPUBLICAN VIEWS, SENATE SPECIAL COMMITTEE ON AGING REPORT

Mr. PROUTY. Mr. President, the Special Committee on Aging annual report, filed last week, is being released today. The entire document deserves careful review by each Member of the Congress.

It is not inappropriate that it should come in May, proclaimed by President Nixon as Senior Citizens Month.

As ranking minority member of the committee, I invite particular attention to the minority views of Senators FONG, MILLER, HANSEN, MURPHY, FANNIN, GURNEY, SAXBE, SMITH of Illinois, and myself.

I ask unanimous consent that a condensed version be printed in the RECORD at the conclusion of these remarks.

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

(See exhibit No. 1.)

Mr. PROUTY. Mr. President, the thrust of the minority report is twofold. It calls for: First, immediate action to improve and protect incomes of older Americans, and second, initiation of a new national policy to widen choices and opportunities for older persons to participate in national and community life.

Legislation to assure that none of the elderly shall suffer from serious want deserves highest congressional priority. Creation of a new older Americans income assurance program, upgrading of social security benefits, and more equitable tax treatment of persons past 65 are all recommended in the interest of decent incomes for retirees.

Congress likewise should face up to its responsibility to bring inflation, the most universal problem confronting retirees, under control.

We believe there is need, further, for a penetrating review of policies in aging by all elements of society.

The desire and ability of older persons for extensive participation in the mainstream of American life should be given new recognition. Outmoded 19th-century concepts of aging should be abandoned and replaced by new attitudes and practices toward aging and older persons.

Multiplication of choices should be our objective.

New doors should be opened for volunteer service by retirees who want to participate in second careers.

There should be a reexamination of compulsory retirement patterns and employment practices so that older Americans who want to work, either full or part time, will not be penalized.

As former President Johnson observed:

In our Nation, there are thousands of retired teachers, lawyers, businessmen, social workers and recreation specialists, physicians, nurses, and others who possess skills which the country badly needs.

Hundreds of thousands not yet old, not yet voluntarily retired, find themselves jobless because of arbitrary age discrimination...

In economic terms, this is a serious—and senseless—loss to the Nation... But the

greater loss is the cruel sacrifice in happiness and well-being which joblessness imposes on these citizens and their families.

President Nixon expressed the feeling of countless older Americans when he said:

Our older citizens should have the opportunity to remain active, either in income producing occupations or in the voluntary organizations of their communities.

As Oliver Wendell Holmes said at the age of 90: "The work never is done while the power to work remains. For to live is to function—that is all there is to living."

I pledge the full resources of the Presidency toward encouraging greater opportunities for participation by the aged in all pursuits of this society.

We owe a great debt to our senior citizens for their contribution to this Nation's affluence. We should not hesitate in meeting that obligation by assuring that all are adequately cared for. Nonetheless, no group takes more seriously the late President Kennedy's admonition:

Ask not what your country can do for you—ask what you can do for your country.

Too often the chance to respond to this challenge is denied to senior citizens, who, understandably, rebel at being declared useless when they reach 65, 70, or any other arbitrary age.

Relatively few countries in the world have human resources equal to those found among millions of Americans past 65. These persons are often highly skilled, fully capable of great contributions to themselves and their Nation.

In fact, fewer than one-fourth of the world's nations have total populations equal to the number past 65 in the United States. Only two South American and three African countries have populations so large. Only eight of the 29 European countries have so many people.

The voice of older persons, as heard in many Committee on Aging hearings, cries out for opportunity to make their vast reservoir of talents available. We believe each of them should be given unlimited choices to do so.

Such a new, affirmative response, coupled with improvements in incomes, can bring real meaning to the term "golden years." This will require imagination, study and dedication by people in all walks and stations of life. We believe this effort should begin now.

At the same time, we reemphasize that many older Americans simply cannot wait. Our first order of business should be assurance of decent incomes for all older persons.

EXHIBIT 1

CONDENSATION OF MINORITY VIEWS OF MESSRS. FROUTY, FONG, MILLER, HANSEN, MURPHY, FANNIN, GURNEY, SAXBE, AND SMITH OF ILLINOIS

INTRODUCTION

Few challenges facing America in the 1970's are as important as a new policy on aging—one leading to decent living standards, independence, and meaningful retirement years for all older Americans.

Multiplications of choices open to each older person in his or her continuing pursuit of rewarding experiences is essential.

National policy should encourage older Americans to make full use of their growing potential for economic, spiritual and social

involvement in family, community and national life.

Solutions to problems of senior citizens must relate to changing patterns in the aging process. Life expectancy will continue to lengthen, not shorten. Individual physical and mental abilities will grow, not decline. Reasonable needs for income to afford necessities and niceties of life will expand, not contract. Capacity and desire to take care of one's own needs, and demands for more diversified opportunities to do so, will increase, not diminish.

If society continues to ignore dynamic progress in aging, it will compound an already serious problem.

Creation of sound national approaches to aging will require many changes in attitudes. Imaginative and intelligent responses will be required by all elements of society, including senior citizens themselves.

Modification of retirement patterns and employment rules in recognition of expanding capacities and desires of many older Americans for active participation, full or part time, in the Nation's economic life should be a major ingredient.

Development of adequate community service opportunities for older persons whose retirement brings a desire for new socially oriented careers should play an important part.

Society's responses to individual needs at all ages should recognize that most people will grow old. One preventive measure deserving high priority is expansion of work opportunities for person who have not reached retirement age, but are denied jobs because of age. They are thus forced into situations which make their retirement years a prospect of social and economic deprivation.

Obviously improvements in Social Security, private pension plans and other sources of financial support designed to assure adequate retirement incomes are imperative. These should offer greater flexibility so as to increase individual options.

Achievement of a golden age in aging will take time. No one knows this better than the older American who has been misled by overly optimistic promises or suffered dashed hopes as he competes unsuccessfully with other demands on our Nation's resources.

The magnitude of the problem, however, is no excuse for delay. Certain actions should be taken now. As a minimum, therefore, we urgently recommend early action by the Congress which will look to:

1. Automatic cost-of-living increases in Social Security benefits to prevent hardships due to inflation.
2. Across-the-board increases in Social Security benefits.¹
3. One hundred percent of primary Social Security benefits to older widows.
4. Major liberalization of the Social Security earnings test so as to prevent discrimination against those who continue to work, full or part time, especially those with relatively low Social Security benefits.
5. Upward adjustments, actuarially determined, in Social Security benefits for those who defer retirement beyond 65, so that their continuation in the work force will not be penalized.
6. An Older Americans Income Assurance Program offering income supplements to the elderly who otherwise would not be able to attain a decent standard of living or would be forced onto public assistance.
7. Medicare coverage for persons past 65

¹ Senator Miller notes that a 15-percent increase in benefits went into effect on Jan. 1, 1970, so that an automatic increase in benefits to keep pace with increases in the cost of living should be adequate, with exceptions to be covered by an Older Americans Income Assurance Program. (See recommendation 6.)

not presently covered and in need of such coverage.

8. Improvements in medicare service and financing which will reduce excessive burdens imposed by current deficiencies.

9. Updating of retirement income tax credit provisions of the Internal Revenue Code.

10. Exclusion, subject to a reasonable ceiling, of medical and drug expenses from older persons income subject to Federal taxation.

11. Adequate financing for research in aging.

12. Sound governmental policies which will help bring inflation, the most universally serious problem for older Americans, under control.

NATIONAL POLICY IN AGING—A LONG VIEW

If we are to achieve the valid objectives of today's older Americans and acceptable roles for those who grow old in the future, it is necessary to develop broad new national policies in aging that recognize how outdated are 19th century stereotypes of older persons.

Implementation of humane and realistic policies will require major changes in attitudes toward aging on the part of government, business, education and all other elements of society including older persons themselves.

Recognition must be given to the expanded ability of persons at all ages to participate as fully as they desire in the Nation's economic and social life and to the growing emotional need of people in their sixties, seventies, and even their eighties for involvement in the mainstream of life.

There should be a reversal of social and economic patterns which force millions of older Americans, usually against their wills, into situations of rejection and dependence.

Rejection as first-class citizens capable of full participation in the responsibilities and rewards of active life is incompatible with the competence which most older people can bring to the challenges facing the Nation.

Dependence for many older Americans is especially abhorrent when, as is often the case, such dependence means inadequate incomes and denial of even minimal social opportunities.

In a nation where demand for skills, wisdom, and experience increases almost daily, it is totally inconsistent to erect barriers which restrict opportunities for individuals possessing such talents from making them available as fully as possible, either for hire or as volunteers.

There should be compassion toward older persons in need, but few older Americans really want compassion. They want to receive what is their's by right. First among these rights is the right to choose.

Maximization of choices open to each older person should be the objective of a new national policy on aging—choices with dignity and independence to which all senior Americans are entitled.

It is to be hoped that the 1971 White House Conference on Aging will seriously address itself to this question. It can be especially important because it is unrealistic to assume that creation of maximum choices can come overnight or without a massive, concerted effort. We cannot, however, ignore immediate consideration of present impediments to decent opportunities for older Americans. Their problems are too serious, too important.

Obviously there is no meaningful choice when millions of older Americans, through no fault of their own, are unable to pay for the barest necessities of life. Correction of this situation deserves highest congressional priority.

There is no choice when individuals are forced against their wills to leave their employment at an arbitrary age without regard for their abilities or desires. Compulsory retirement policies need careful reexamination

by every individual and organization with responsibility for employment practices.

There is little choice in retirement when policies of employers and even Federal programs, such as Social Security, prevent or discourage individual efforts to supplement income with part-time employment.

It is not uncommon for persons to enter retirement with the prospect of 20, 25, or more years remaining in their lives. Most, if not all of these years, may be accompanied by a zest for living which mitigates against nonparticipation.

Many older Americans have concluded that part-time work is essential to their own happy retirement and have accordingly maintained or resumed a modified role in the work force. Many more, particularly men, have been denied opportunities for such participation because of employer attitudes, or have passed up what they regard as desirable opportunities because of their fears as to the effect such work would have on their Social Security benefits.

We believe it is accurate to say that a high percentage of those now past 65 believe a comprehensive review of the Nation's retirement attitudes is in order. We believe that such reappraisal, looking at all factors, including economic, social, physical, emotional, spiritual and psychological, should make full use of what retirees themselves think as well as the results of research in these areas.

Countless other items of significance to the future of aging and older Americans deserve review. The time to begin reexamination and changes of attitudes is now.

The next three decades, if available evidence is even partially reliable will see further increases in length of life, in physical and mental abilities, and in social and economic appetites among older people as a result of continuing progress.

Serious students of the physiology of aging predict that by A.D. 2000 average life expectancy may be 90 or 100 years. Some researchers suggest even more dramatic shifts. In a century such as this, with serious plans developing for trips to Mars, who can ignore the optimism of science?

If an increase of 20 or 30 years in life expectancy is accompanied by probably improved levels of health and physical-mental potentials at all ages, it is obvious that present attitudes in aging, particularly regarding the proper patterns of retirement, will be completely inadequate. There is serious question as to whether many are not already out of date.

Recent years have seen emergence of a curious paradox in aging. Better health and education are raising abilities of older persons to participate in the Nation's mainstream—and their desire to do so. Simultaneously there has been a marked increase in pre-65 retirement.

If this were proof of America's success in solving the retirement income problem, there would be no grounds for complaint. Such is not the case. If, on the other hand, it represents a failure of society to meet the needs of a revolution in aging, it takes little imagination to see that additional increases in life expectancy will but compound an already serious problem.

Data reviewed by this committee shows that much of early retirement is by persons with lowest incomes—lowest incomes both before and after retirement. Decisions of many persons to "retire" have resulted from loss of jobs and inability to obtain other suitable employment. More have been encouraged to retire by suasions of various retirement programs, reinforced by social pressures to quit, even though personally reluctant to do so. Many, both underprivileged and affluent, have been forced out of their life work prematurely by rigid retirement policies.

Many older Americans have been and are

resentful of the negative compulsion applied to them by society during their sixties and seventies. They rightfully feel they should have more choices as long as they live and are capable of enjoying the responsibilities and rewards of life.

Successful response to the highly varied economic, social, physical, and psychological needs of tens of millions of older Americans requires study, thought and imagination. Expansion of choices for each individual should be the objective.

Complexity of the problem, however, in no way justifies delay in congressional action on problems that are obvious and immediate.

SOCIAL SECURITY

As has always been the case, the greatest problem for older Americans is income. Large numbers of persons past 65 obviously do not have the money necessary to meet the costs of decent standards of living. Others have experienced severe losses in purchasing power because of inflation during the last 10 years. Many who retired in comfort now find themselves in or near straitened circumstances.

Our Nation's most immediate goal should be steps to assure all older Americans at least a decent minimum standard of living.

This effort calls for improvements in private pension programs, successful implementation of President Nixon's campaign to bring inflation under control, expansion of opportunities for individuals to supplement retirement income through their own efforts, and a variety of other measures.

Few congressional actions would have more widespread immediate effect, of course, than improvements in Social Security.

The recently adopted 15-percent increase in benefits is commendable, but it only represents a beginning in necessary upgrading of the Social Security system.

One improvement which minority members of the Committee on Aging and the Republican Party have long advocated is provision for an automatic cost-of-living increase in benefits to provide immediate response to rising price levels when they occur.

As when introduced first in the Senate by Senator Jack Miller of Iowa, such an automatic escalation in benefits requires no increase in the Social Security tax rates. It would obviate the game of "catch-up" which has characterized Social Security since its inception, a game in which beneficiaries have been consistent losers.

Adoption of this proposal would give assurances to younger potential beneficiaries that their benefits would be payable in amounts at least equivalent to the dollars they are paying in current taxes. This becomes important to the whole system's integrity as evidence grows of reluctance on the part of younger people to support rising costs of the Social Security program.

It is time to quit playing political football with Social Security and the needs of the aging. Too often past increases, actually amounting to no more than living-cost adjustments, have been voted by the Congress only after delay has forced many beneficiaries into inexcusable financial difficulties. Such increases could have been made automatically within the fiscal competence of the Social Security system when the aging needed them most rather than when they offered political advantage to Members of Congress. It is such immediate responses to needs of beneficiaries that is recommended through the proposal for automatic living-cost adjustments.

Precedent has been set for such a policy in other federally supported pension programs. Why should it not be extended at once to the mass of older Americans relying on Social Security?

While living-cost increases are important in modernization of Social Security, they are not a substitute for increasing the overall

adequacy of the system in its design to provide income for older Americans. There is also need for across-the-board increases.*

The plight of widows and discrimination against them in the Social Security benefit structure likewise deserve prompt attention.

Elsewhere in this Committee on Aging report and repeatedly in those published in the past, it has been observed that no group among the elderly is subject to more severe economic handicap than aged widows. One contributing factor is failure to pay the same Social Security benefits to surviving wives as is paid to surviving husbands. Normally the latter receive 100 percent of primary Social Security benefit on the death of their spouse; the widow, however, receives only 82½ percent. There seems to be no excuse for such discrimination and we recommend its prompt correction.

Two other changes in the Social Security system are of pressing importance if we are to increase choices available to older Americans.

The first of these relates to limitations on earnings by a beneficiary.

Current limitations of \$1,680 per year on the amount one can earn without penalty is totally unrealistic. The provision that a beneficiary lose only half of earned income between \$1,680 and \$2,880 is awkward and cumbersome.

The present limitation discourages many who would like to supplement pension payments with income from part-time work. In times of inflation this can be most important. The restriction virtually prohibits gainful full-time employment by others, often including those whose incomes are lowest and those who derive their greatest satisfaction from employment.

There is evidence the earnings limitation sometimes reduces the amount paid to those who insist on working. Without it, they would receive more money for the same work.

It should be noted, too, that while a person may receive large income from other sources without penalty, the earnings limitation applies as much to those receiving minimum Social Security benefits of \$64 a month as to persons receiving maximum benefits.

In any event, this earnings limitation as now applied is seriously and properly objected to by older Americans. Its substantial liberalization would be a major step in increasing choices available to them. We recommend early consideration of such a change.

A second step which would increase choices open to Social Security beneficiaries would be through expanding the program's flexibility for those who choose to continue work after 65.

Without flexibility in the system, it is difficult for individuals to tailor it to personal situations they face in later years of life.

Some flexibility has been gained by changes which permit persons to elect receipt of benefits before age 65. Lower payments are received when such election is made.

When a person elects to defer benefits until age 66 or 68 or 70, however, he gains virtually nothing. Indeed, without increasing his benefits, he is actually required to pay additional Social Security taxes. The inequity of such a practice is obvious.

This discrimination against the person who desires to continue employment not only goes against the personal preference of many senior citizens, but also against professional opinion as to what is best for older persons.

We advocate consideration of improvement in the Social Security system which would permit realistic annual increments in benefits for persons electing to postpone retirement to ages beyond 65.

* See footnote 1.

INCOME ASSURANCE PROGRAM

Important as improvements in Social Security may be, it must be recognized that they have their limitations.

For this reason we urge that Congress give most careful consideration to development of an Older Americans Income Assurance Program, outside the welfare pattern, which will assure at least minimum income, through governmental supplements, to all the elderly who otherwise would not be able to receive a decent standard of living.

Whether such a program should be completely financed and administered by the Federal Government, or involve a combination of Federal and State funds may be subject to argument. The fact remains, however, that some such approach appears necessary if this Nation is to meet its obligation that all older persons enjoy decent standards of living.

One such proposal was offered in the 90th Congress and with modifications again in the 91st Congress by Senator Winston Prouty of Vermont. Senator Prouty's bill, S. 3554, provides that there be a Federal supplement to bring the total income of each unmarried person over 65 up to \$1,800 a year and each married couple up to \$2,400. The amount of subsidy would be the difference between other income of the individual or couple and the \$1,800 and \$2,400 respectively.

Some mechanism such as this seems to be the one way that the problem of income inadequacy can be met at a cost in keeping with the willingness of younger people to pay the bill, and this is particularly true if financing occurs out of the general fund rather than through Social Security taxes.

As an income supplement program, the cost to the taxpayer would be substantially lower than that required by any effort to raise Social Security minimum benefits to comparable levels. This is extremely important because there appears to be little disposition on the part of the Congress to raise minimums to such levels in the near future. Congressional reluctance is undoubtedly inspired by the feeling of younger people who must pay the taxes necessary for any Federal program which is financed through Social Security taxes.

Senator William B. Saxbe of Ohio has approached it in another way by offering an amendment to the Administration's proposed Family Assistance Act which would provide for supplements to a minimum of \$155 monthly for persons age 72 or over.

However desirable it might be to promise older Americans that their basic economic needs can be met through raising Social Security minimum benefits now to \$125 or \$150 a month or more, it is grossly unfair to do so. Nothing in the 35-year history of Social Security suggests that Congress will take such dramatic action, regardless of how badly it might be needed. The obvious reason that such promises are unrealistic is the cost and destruction of the concept of Social Security as "insurance" rather than a welfare program.

Sympathetic as they may be to the importance of caring for their seniors, young workers appear unwilling to pay the increased Social Security taxes necessary to support such minimum Social Security benefits. Their attitudes are reflected in the hesitancy of the Congress to pass such proposals.

It is a fact that many young Americans, struggling to meet immediate family expenses, are paying Social Security taxes greater than their Federal income tax liability. Simultaneously, as much as 40 percent of income subject to Federal income taxes is exempt from Social Security taxation, much of it in the hands of persons most able to pay.

For the present, however, the one approach which would be responsive to the needs of the aged and do so with a price tag which could be borne by the young appears to be that offered by an income assurance plan. This could help those who need help most without creating a windfall for those now able to take care of their own financial needs.

A general income supplement program would also serve the many persons not now covered by Social Security, such as some school teachers, State and Federal government employees, and others whose employment is not or was not covered in the past by Social Security. Large numbers of these persons are among those with lowest incomes.

Efforts to provide some protection to persons not covered by Social Security began in 1965 with the Prouty amendment which authorized payments in the amount of \$35 monthly (now \$46) to such persons age 72 and over who had no other pensions. Even with all the limiting amendments imposed by Congress on this proposal, the problem's magnitude is indicated by the fact that over 600,000 persons qualified. For many it was the only source of cash income.

It should be noted that an income supplement program, however devised, would have an advantage as a mechanism to eliminate abject poverty among the elderly because it would avoid unearned increments to persons, some of them wealthy, who are not in need.

This is why the total net cost to the taxpayer, important to favorable consideration for any proposal, would be much lower than a comparable Social Security minimum benefit.

MEDICARE

After 3 years of operation, the Medicare program obviously is beset by numerous problems. Since these are now under examination by congressional committees with legislative responsibility in these areas, it is unnecessary here to review the numerous shortcomings which have been encountered. Even with Medicaid as a supplement, however, it appears necessary for revisions in delivery of medical care under programs supported entirely or in part by Federal funds to see that they more satisfactorily meet the most critical medical needs of the aged.

Financial and service delivery problems are making it increasingly difficult for Medicare to fulfill promises made for the program. Simultaneously there have been numerous complaints from beneficiaries because of service inadequacies. Difficult as the task may be, it is evident that attention first must be given to correction of these deficiencies as a prelude to broadening provisions of the law. Such revisions should recognize, however, that there are many serious unmet medical needs among the elderly to which careful attention should be given.

One problem of particular concern to us is provision of long-term care to older persons with varying degrees of disability and illness. We believe it imperative that Congress address itself most carefully to this problem so as to ease the heavy burdens now imposed by protracted terminal illness and highly expensive, irreversible chronic disease.

The percentage of older persons, whose disability and illness needs can efficiently be met through institutional care such as offered in homes for the aged, nursing homes and similar institutions, is small. None-the-less the cost of their care remains one of the most frightening possibilities facing older Americans and their families.

We recommend, further, that Medicare be extended to all persons over 65, regardless of Social Security status, who are in need of such coverage. Many persons not now covered have financial need as great as those who are beneficiaries. Financing of such coverage should come from the general fund of the Treasury, otherwise those who pay So-

cial Security taxes will be paying for a program not primarily designed as "insurance."

TAXATION

One serious problem facing many older persons, as revealed repeatedly in Committee on Aging hearings, is that created by rising taxes.

There are at least two other areas which are clearly subject to effective Federal tax relief.

We recommend updating of retirement income tax credit provisions of the Internal Revenue Code. The retirement income credit section of the code was enacted in 1954. It established for certain retirees a tax benefit similar to that others have by means of the tax-free income they receive from Social Security. The retirement income credit was computed on the maximum Social Security benefit. By the language of the tax code, however, the tax base still stands at \$1,524 which was the appropriate figure 8 years ago. Since that time there have been several Social Security increases, but no comparable adjustment in the retirement income credit provision. The Congress should consider updating section 37 of the 1954 Internal Revenue Code to provide as nearly as possible equal tax treatment for all retirement income.

We urge action further to simplify that portion of tax return forms related to retirement income credit in recognition of the fact that its present complexity results in many older persons paying taxes in excess of the law's requirements.

We also recommend that medical and drug expenses of older people, including those related to dental services, be made deductible subject to a reasonable ceiling, from income subject to Federal taxation. This could be a reinstatement of deductibility for persons past 65 as applied to Federal income tax prior to 1967.

RESEARCH IN AGING

If our objectives for all older Americans are to be achieved with reasonable speed, the Nation needs facts—facts about the present and facts about what may be in the future.

We strongly recommend increased support, financial and otherwise, for immediate expansion of research in the field of aging.

Doubtless almost all basic and applied scientific research is of benefit to the old as well as the young. There needs to be more careful determination, however, of how the products of such research may be applied to the particular problems of those in middle and later years.

There is need, too, for more effective research directed specifically at the implications of age in order to develop realistic and flexible national policies and attitudes toward aging which can more satisfactorily meet the needs of people.

Obviously the Nation needs more distinguished scholarship such as the work at the University of South Florida, University of Iowa, Drake University, Duke University and the Ethel Percy Andrus Gerontology Center at the University of Southern California. That it be the sense of the Congress that such gerontological centers be encouraged has been called for in Senate Concurrent Resolution 24 introduced by Senator George Murphy of California for himself and other minority members.

Research obviously should range far beyond the physical sciences. Possibly the greatest need may be for research in the economic and social aspects of the aging phenomenon.

Practical research should also permit full expression by older Americans themselves about their problems, desires and estimates of what is needed for the future.

INFLATION

No review of today's needs of older Americans would be complete without reference to

the most serious and universal economic problem they face—inflation.

President Nixon deserves highest commendation for placing control of inflation at the top of his domestic objectives.

Any effort to preserve the value of the older American's fixed income should be applauded. We urge the Congress to give the President full support in this campaign.

Minority members of this committee have repeatedly taken the lead in recognizing that the most universal and serious sources of problems of older Americans is the massive loss of real income through inflation.

We have maintained, with wide support from economic experts, that control of inflation can only be achieved through Federal policies which are fiscally sound and by roll call votes of Members of Congress which are consistent with such policies.

We reiterate our concern for reduction in and postponement of unjustifiable or low-priority Federal expenditures. It is essential that those in control of the Congress face up to their responsibilities and put an end to rising public deficits and debt, which lay the foundation for inflation and high interest rates.

Previous minority reports of this committee have discussed how inflation injures the worker in factory, shop, office, or on the farm. The facts are too evident to require repetition here now. The truth is all citizens, save possibly the very rich, are hurt by rising living costs. None suffer more, however, than older persons.

SUMMARY OF RECOMMENDATIONS, MINORITY VIEWS, SENATE SPECIAL COMMITTEE ON AGING

The following are the *Minority Recommendations, Senate Special Committee on Aging*, as they appear in the introduction of Minority views signed by Senators Prouty, Fong, Miller, Hansen, Murphy, Fannin, Gurney, Saxbe and Smith (Ill.):

1. Automatic cost-of-living increases in Social Security benefits to prevent hardships due to inflation.

2. Across-the-board increases in Social Security benefits.¹

3. One hundred percent of primary Social Security benefits to older widows.

4. Major liberalization of the Social Security earnings test so as to prevent discrimination against those who continue to work, full or part time, especially those with relatively low Social Security benefits.

5. Upward adjustments, actuarially determined, in Social Security benefits for those who defer retirement beyond 65, so that their continuation in the work force will not be penalized.

6. An Older Americans Income Assurance Program offering income supplements to the elderly who otherwise would not be able to attain a decent standard of living or would be forced onto public assistance.

7. Medicare coverage for persons past 65 not presently covered and in need of such coverage.

8. Improvements in medicare service and financing which will reduce excessive burdens imposed by current deficiencies.

9. Updating of retirement income tax credit provisions of the Internal Revenue Code.

10. Exclusion, subject to a reasonable ceiling, of medical and drug expenses from older persons income subject to Federal taxation.

¹ Senator Miller notes that a 15-percent increase in benefits went into effect on Jan. 1, 1970, so that an automatic increase in benefits to keep pace with increases in the cost of living should be adequate, with exceptions to be covered by an Older Americans Income Assurance Program. (See recommendation 6.)

11. Adequate financing for research in aging.

12. Sound governmental policies which will help bring inflation, the most universally serious problem for older Americans, under control.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll. Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

PROPOSED CONVEYANCE OF CERTAIN FEDERALLY OWNED LAND TO THE CHEROKEE TRIBE OF OKLAHOMA

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to convey certain federally owned lands to the Cherokee Tribe of Oklahoma (with an accompanying paper); to the Committee on Interior and Insular Affairs.

PROSPECTUS FOR ALTERATIONS AT VIRGINIA HEATING, REFRIGERATION AND SEWAGE DISPOSAL PLANT, ARLINGTON, VA.

A letter from the Acting Administrator, General Services Administration, transmitting, pursuant to law, a prospectus for alterations at the Virginia Heating, Refrigeration and Sewage Disposal Plant in Arlington, Va. (with an accompanying paper); to the Committee on Public Works.

PROSPECTUSES FOR PROPOSED ALTERATION OF PUBLIC BUILDINGS

A letter from the Acting Administrator, General Services Administration, transmitting, pursuant to law, prospectuses for proposed alteration of public buildings (with accompanying papers); to the Committee on Public Works.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. McCLELLAN, from the Committee on Government Operations, with an amendment to the title:

S. 2763. A bill to allow the purchase of additional systems and equipment over and above the statutory price limitation (Rept. No. 91-893).

EXECUTIVE REPORT OF A COMMITTEE

As in executive session, The following favorable report of a nomination was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Sam Harry Wright, of the District of Columbia, who was confirmed by the Senate on November 26, 1969, as the representative of the United States of America on the Trusteeship Council of the United Nations, to serve on the Council with the rank of Ambassador.

BILLS AND A JOINT RESOLUTION INTRODUCED

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

By Mr. CRANSTON:

S. 3872. A bill for the relief of Leona Lopez; to the Committee on the Judiciary.

By Mr. FONG:

S. 3873. A bill for the relief of Corazon Q. Quimino; and

S. 3874. A bill for the relief of Narcisca Caban Cabbab; to the Committee on the Judiciary.

By Mr. PEARSON (for himself, Mr. MAGNUSON, Mr. PASTORE, Mr. HARTKE, Mr. PROUTY, Mr. MOSS, Mr. CANNON, Mr. PACKWOOD, and Mr. HATFIELD):

S. 3875. A bill to amend the Interstate Commerce Act in order to provide for the Department of Defense in general purpose box cars owned by the United States; to the Committee on Commerce.

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

By Mr. JAVITS (for himself, Mr. JORDAN of Idaho, and Mr. MILLER): S.J. Res. 203. Joint resolution on wage and price stability; 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.)

S. 3875—INTRODUCTION OF A BILL RELATING TO RAIL TRANSPORTATION OF FREIGHT FOR THE DEPARTMENT OF DEFENSE IN GENERAL PURPOSE BOXCARS OWNED BY THE UNITED STATES

Mr. PEARSON. Mr. President, I am introducing today a bill for myself and cosponsored by the distinguished chairman of Commerce Committee (Mr. MAGNUSON), Mr. PASTORE, all the members of the Special Subcommittee on Freight Car Shortages, Mr. HARTKE—the chairman—Mr. PROUTY, Mr. MOSS, and Mr. CANNON, also Mr. PACKWOOD and Mr. HATFIELD, designed to meet the basic cause of the critical boxcar shortage that persists today, not only in my region, but across the Nation. The plain fact is there simply are not enough boxcars.

This bill would enlarge our Nation's overall boxcar fleet by arranging for the construction and purchase of boxcars sufficient for the needs of the Department of Defense, thereby releasing those cars presently in use by DOD. This measure is vitally needed, Mr. President, because the Department of Defense is holding cars at many shipping points across the country and paying quite substantial demurrage charges on them; while at the same time, grain is overflowing the elevators and spoiling on the ground in the midwest, while coal, perishables and other products are also waiting to be transported from points across the Nation.

Mr. President, national defense purposes undoubtedly require at times that cars be held at various shipping points. This is understandable and justifiable. Accordingly, this bill would provide adequate cars for such purposes, would ease their administrative burdens while also

saving taxpayers money. Not only would this represent a wiser expenditure of Government funds, but it could ultimately produce a net savings in the national budget.

The important thing, however, is that funds will be spent in a positive way—in an effort to alleviate the critical boxcar shortage rather than for continued payment of excessive charges in the nature of parking fines on cars which are so desperately needed, but which are sitting idle at various places throughout the Nation.

This bill, Mr. President, is not intended to prejudice any current efforts within the Congress or the Executive which are directed at other aspects of the boxcar shortage problem. There is a pressing need to establish proper rates, demurrage charges, penalties, and other regulations to increase boxcar utilization. But this proposal, which has received support from east and west, deals with the basic problem of inadequate boxcar supply.

Mr. President, within a few weeks, combines and harvest crews will be moving into the Kansas wheat fields; but as farmers and grain dealers across the Midwest are well aware, it will be a long time before this new crop reaches the market.

Unfortunately, however, this is no new problem to the people of the Midwest. The first case to be held before the Interstate Commerce Commission—docket No. 1-1887—was a petition by farmers in the Dakota territory complaining of inadequate boxcar supply.

In my State today, it has been estimated that the economic loss due to the boxcar shortage runs in the neighborhood of \$100 million per year.

But Mr. President, the problem is no longer sectional; it is a national problem of awesome complexity which affects not only market price structures, but international trade as well. The problem today is no longer seasonal; it is year-round.

Mr. President, on June 24 of last year, I made a statement on the Senate floor indicating that during 1968 the Department of Defense paid out demurrage fines on the order of tens of millions of dollars, possibly even \$100 million. Since that date, the figure, I am informed, has decreased. The overall supply of cars, however, has been worsening for years, as the following chart indicates:

PLAIN, UNEQUIPPED BOXCARS

Date	Ownership	Serviceable
Jan. 1, 1958	685,276	653,060
Jan. 1, 1960	655,418	608,275
Jan. 1, 1962	609,487	559,588
Jan. 1, 1963	578,834	532,469
Jan. 1, 1964	543,898	505,273
Jan. 1, 1965	508,713	474,632
Jan. 1, 1966	473,798	444,485
Jan. 1, 1967	454,761	427,404
Jan. 1, 1968	427,206	397,501
Jan. 1, 1969	404,592	376,957
Feb. 1, 1969	403,241	376,007
Mar. 1, 1969	401,864	374,459

Mr. President, given the present financial condition of most of our Nation's railroads, it is simply unrealistic to expect that the railroads will be able to build or purchase adequate numbers of

boxcars sufficient for the transportation of the essential commodities of this Nation. Accordingly, I urge that the Senate redirect our Government's vital resources toward the improvement of a grave situation rather than toward the aggravation of a worsening dilemma. I urge the Senate to give the consideration to the proposal.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

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

The bill (S. 3875) to amend the Interstate Commerce Act in order to provide for the rail transportation of freight for the Department of Defense in general purpose box cars owned by the United States, introduced by Mr. PEARSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 3875

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Part I of the Interstate Commerce Act (49 U.S.C. 1, et seq.), is amended by redesignating section 26 as section 27 and by inserting before such section a new section as follows:

"NATIONAL DEFENSE FREIGHT CARS

"SEC. 26. (a) The Secretary of Defense (1) shall arrange for the construction and purchase of such number of general purpose box cars (not less than 10,000) as may be necessary to provide for the transportation of all freight tendered to railroads subject to this Part by the Department of Defense and suitable for transportation in such cars, in general purpose box cars owned by the United States or in general purpose box cars provided in exchange for such cars owned by the United States, (2) may enter into such agreements with such railroads as are necessary to provide for the maintenance and most efficient use of such cars owned by the United States, including exchange agreements, and to provide for necessary rate adjustments in order to recognize the United States' capital investment in such cars.

"(b) There is authorized to be appropriated for the purpose of section (a) (1) the sum of \$120 million, such funds to remain available until expended."

ADDITIONAL STATEMENTS OF SENATORS

JOHN GRAVES

Mr. MCGEE. Mr. President, all of us are saddened by news of the death of Mr. John Graves. We on the majority side of the aisle, in particular, knew and loved John, an able young man who had served us well as assistant secretary of the majority. His, of course, was a familiar face and a pleasing personality for all of us, no matter which side of the aisle we occupied. That John Graves is gone at such an early age seems most unlikely, but it is true. I will miss him, as I am sure all Senators will. And I should like to express a sense of loss at his passing, and condolences to his wife and children.

NOT EVEN A MINIMUM STANDARD OF DECENCY

Mr. AIKEN. Mr. President, over a month ago, Republican Senators attending our weekly policy committee luncheon heard a most moving address by the wife of one of the 1,529 Americans held prisoner by North Vietnam.

Without any formal vote or resolution, all of us vowed to help this noble woman and the other wives, parents, and families of these prisoners.

Every day since then we have called attention to the despicable refusal of the North Vietnamese to observe even a minimum standard of decency with respect to these prisoners.

Each day we have demanded that every resource of our Government and of various concerned international organizations be utilized to persuade the captor government to observe the prisoner of war conventions to which that government is a signatory.

Our topic is not new, and our prose is not original. It may be boring and repetitious to a few, but we know we speak for most Americans.

This is the very least we can do. The wives, the parents, the children of these Americans held prisoner have not given up hope. Nor can we.

SHOES SUFFER, SAYS SENATOR SYMINGTON

Mr. MCINTYRE. Mr. President, the sad plight of our American shoe workers is well known to all my fellow Senators. One man who has long recognized the problem is the senior Senator from Missouri (Mr. SYMINGTON).

Last night in St. Louis, Mo., in speaking to the United Shoe Workers of Missouri, men who have suffered just as dearly as those in my State of New Hampshire, Senator SYMINGTON called for a properly balanced policy which would protect these men and their employers from what is now certain economic downfall.

Senator SYMINGTON realizes that what is desperately needed is a policy of protection which is both fair to our own workers and fair to foreign manufacturers—a policy which would result if S. 3723, which I introduced, was to become law.

Mr. President, I ask unanimous consent that this extremely important and timely speech by Senator SYMINGTON be printed in the RECORD.

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

THE QUIET INVASION

At the end of World War II, America emerged from four years of conflict as the most powerful trading nation in the world. Our economy was by far the strongest on earth; and our currency ruled all financial markets.

Europe and much of the rest of the developed world was in ruins; and political and economic collapse threatened many States.

It became increasingly clear that unless the United States poured massive economic aid into these countries in order to help them back on their feet, the active radical

parties, including those directly connected with the Comintern, could well take over.

Accordingly President Truman launched an unprecedented aid program, the Marshall Plan, which was designed to underwrite the recovery of Europe; and from its inception in 1948 over 16 billion American dollars were funneled to that part of the world through this program alone.

Never in the course of history has one nation given so much so freely, and asked so little in return.

To say the Marshall Plan was successful would be an understatement. With this transfusion of our dollars, Europe recovered rapidly. Stability and prosperity returned to the point where today the European Common Market has assumed the number one spot as the leading trading power in the world—a position once held by the United States.

In effect, therefore, our country, the architect of Europe's new prosperity, has bankrolled the reconstruction of Europe at very great expense.

The same story is true with respect to what we did for Japan, beneficiary since 1945 of over three billion dollars in United States economic assistance. Today this small island nation is second only to our country in Gross National Product among the nations of the free world.

From 1958 to 1968 world trade doubled; and during the past two years there has been additional record growth; but industry in this country has not benefited from this expansion as it should; in fact, our own balance of trade abroad has been, and is, deteriorating rapidly. This diminishing trade surplus results from a steady increase in imports to the point where in 1969 the United States had by far the largest balance of payments deficits in its history—6.9 billion dollars, more than double any previous year.

Of course part of the negative balance of payments situation is due to inflation here at home; but the real source of the problem goes far beyond that. It is a matter of record that Europe and other countries, particularly Japan, through the establishment of non-tariff barriers after they have made tariff agreements with us, have taken unfair advantage of the previously agreed upon trade policies; have for example created clever new impediments to the entry of our exports into their markets, which impediments enable them to circumvent said tariff agreements.

As a result, it is becoming steadily more difficult for this country to compete in various types of goods, not only on the world market, but right here at home; and the basic reason for this unfortunate condition is the soaring influx of cheap labor imports which this Government allows to come in from abroad.

As our own exports decline because of inability to meet price competition from overseas, and as our imports therefore rise, the result can only be less production here at home; and therefore fewer jobs.

In its effort to promote free trade, the United States has made every reasonable effort to reduce, if not eliminate, non-tariff barriers. Directly contrary to that "good neighbor" policy, however, the European Common Market, along with Japan and other countries, have been establishing new discriminatory arrangements which are designed primarily to cut off imports from the United States.

One is reminded of the story about the good Samaritan who came upon a man being attacked by thieves. Disregarding his own safety, he rushed to the aid of the stricken wayfarer, chased the assailants away, nursed the battered victim back to health, and then gave him fine garments to replace his tattered clothing.

When the victim had sufficiently recovered to resume his way, however, instead of thanking the good Samaritan for saving his life, clothing him, and nursing him back to health, he beat the Samaritan over the head and fled with all of the latter's possessions.

Maybe this story is not strictly applicable; but one now has the right to ask just how long can the United States of America continue to defend the free world, almost by itself, and in addition finance the free world, almost by itself; and at the same time agree to policies which allow these other countries, through the lower prices they are able to offer as the result of far lower wages, to take work out of this country; work which represents the opportunity for decent jobs for our own people?

No industry in the United States today feels the pinch of this unfair foreign competition more than does the shoe industry.

Although because of advanced technology manufacturers of American footwear still enjoy a substantial productivity edge over most of their foreign competitors, the far lower standard of living characteristic of the other countries which produce shoes automatically gives the latter a tremendous market advantage.

As illustration, labor consumes some 30 to 40 percent of the cost of shoe production in this country. But it would actually be illegal if American industry paid its shoe workers as little as they receive in all other competing countries.

Our nation today enjoys the highest standard of living in the world; and of this we should be proud indeed. The average wage of footwear workers in the United States is \$2.29 per hour in mid-1969 according to the U.S. Department of Labor; and that is low as against the average industrial wage in this country.

Nevertheless Italy, our leading shoe competitor, pays its shoe workers only \$1.04 per hour; and in Spain, another leading exporter of leather footwear, the hourly wage earned by their shoe workers would not buy a dozen eggs in this country. It averages 56¢ per hour.

Japan, the world's leading vinyl footwear manufacturer, is little better. Its shoe workers average 58¢ per hour.

Is it any wonder that American producers find it increasingly difficult to compete with this foreign production?

Based on the above facts, it is not hard to see why, during the ten year period from 1960 through 1969, there was no growth whatever in domestic shoe production; whereas the importing of shoes increased over 600%.

In 1969, 196 million pairs of shoes were imported into this country, an increase of 11.5 percent over the previous year. That figure represents 34 percent of estimated domestic production.

As all of us here tonight realize only too well, this rising tide of shoe production is having widespread ramifications on our shoe industry here at home; and because Missouri has always been, as it is today, one of the leading shoe producing states, this development is of special interest to our own communities.

The closing of American shoe factories more than doubled in 1969; and twenty-five percent of all such factories have shut down since 1947.

What this means we are actually doing through our trade policies, therefore, is importing shoes while we export jobs.

One result of such short-sighted policy is that many American shoe firms have set up manufacturing divisions in other countries, claiming they must do so in order to meet competition.

This policy of, in effect, exporting jobs not only affects urban and suburban areas; it has

a direct effect on the prosperity of rural America; and these are the reasons why.

The shoe industry is largely made up of small and medium-sized manufacturing components. As example, more than 40 percent of all shoe production in the United States is located in towns of 25,000 or less; because as automation replaces more and more farm workers, many shoe companies have located in rural communities, where they have found available labor of the best type; and today thousands of Missourians primarily interested in agriculture work in these plants so as to supplement their farm earnings.

In 1968 there were approximately 92 shoe plants in Missouri; and a majority of these were located in rural counties. These plants accounted for over 21,000 local jobs, with a total payroll of some \$20 million.

In many rural Missouri communities, a footwear factory is often either the principal or the only industry, and its closing could spell economic disaster for an entire town.

To further illustrate the negative aspect of this segment of our foreign policy, in the decade prior to 1968, the number of jobs in the production of footwear in Missouri declined 26 percent.

Today the role of the rural communities in our society has never been more important. We know only too well how overcrowded are our cities, how they suffer from grave ills which it will take careful planning and a long time to eliminate.

Continued farm-to-city migration because of lack of jobs can only aggravate these already serious problems.

By the end of this century America will be forced to accommodate an additional 100 million people. Where are we going to put them? What are they going to do? Should we not try to maintain those policies which will give them worthwhile jobs at decent wages; and spread that work around so we do not get a further concentration of the population in the large cities?

The small towns of rural America hold much of the key to the future of this nation; and therefore they, along with the rural communities which support them, should be maintained and developed.

What better incentive could there be to remain on one's land than the possibility of a good job near at hand?

It is because of the broad and basic policies which now face America that I do not understand how our present trade policy with regard to shoe imports can be justified.

Let us hope also that we can make major improvement in the quality and design of our footwear. If we look at the shoes our wives are wearing, the chances are good that some of them have been imported from Spain or Italy. As a noted professor of political economy stated recently: "While there is no quantitative proof available, I think it clear that such factors as prestige, value, style, and higher quality are becoming crucial determinants for imported goods in the affluent United States marketplace."

In addition, let us all do our best to improve even further the efficiency of American plants. Many of the European and Japanese plants often built with our aid, are very new and very modern; so we in turn should continue to modernize our own factories, thereby maintaining technological superiority.

There are some who claim also that there is a shortage of some vital skilled trades within the shoe industry, such as stitchers and cement lasters. Perhaps new training programs could re-train upward those presently employed in the industry; and also attract young men and women who will be important to the shoe production of tomorrow.

These structural adjustments will take time, however. In the interim, why should

American wage earners suffer loss of employment? Why should not all Government policies now concentrate on preserving and improving our towns and cities? Why should an entire industry suffer so heavily because of competition from foreign plants often, in effect, built with your taxes and mine?

There must of course be some "balance" to protection policies. We do not expect or desire complete restriction. Perhaps the so-called "crawling peg" quota system proposed recently by Senator McIntyre of New Hampshire would be wise. Under this system, a reasonable base number of imports is set—say the number of pairs of leather shoes imported in 1967; and in the future the amount of imports allowed into this country would increase at a constant percentage, as the level of domestic consumption increased. Imports would therefore be permitted a share of the market, but would not drive domestic producers out of business.

By leaving a small corner of the market to imports, domestic industry would be stimulated by the competition, and would be sure of maintaining the high quality and design standards which have for so long been characteristic of its work.

In summary, it is time for the United States to take a more firm and logical position with respect to its trade policies. We can no longer afford to agree to unilateral policies which not only curtail our exports to other countries, but enable those countries to take over our domestic markets.

Who will deny that it is time to get our economy moving again; and what we need now from this Administration is action, not more rhetoric.

In that way we can do more than preserve our footwear industry and the jobs that go with it. We can increase production and thereby increase the number of available jobs.

Let us never forget that our citizens being employed, on the right basis from the standpoint of wages, hours, and conditions of work, is one of the greatest of all steps towards a strong America—and a strong America is the best hope on this earth for peace and prosperity.

SUPPORT FOR PRESIDENT NIXON'S MOVE IN CAMBODIA

Mr. GRIFFIN. Mr. President, on behalf of the distinguished Senator from Florida (Mr. GURNEY), I ask unanimous consent that a statement by him in support of President Nixon's move in Cambodia and a telegram from William G. Conomos, editor and publisher of the *Orlando Sentinel*, be printed in the *RECORD*.

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

STATEMENT OF SENATOR GURNEY

Mr. President, in the past 10 days, we have heard, I think it is fair to say, a huge outcry from the Americans who oppose our presence in Cambodia. I disagree with much of what I have heard, but I am prepared to stipulate that much of the criticism of the administration's position is sincere and rational. Some of it, however, is hysterical and irrational; I have in mind the destruction of schools, the assaults on police, and the name-calling, referring to the President as a "murderer," for instance. We have heard, as I said, from the opponents of the Cambodian decision. We are now beginning to hear from President Nixon's supporters.

The *Orlando Sentinel* printed a petition in its Sunday, May 10, edition. As of May 21, the petition had been signed by more than 90,000. The paper informs me that many thousands of additional signatures have come in.

ORLANDO, FLA.

Senator ED GURNEY,
Washington, D.C.:

I have sent the following telegram to President Nixon:

"The following petition was printed in Sunday's *Orlando Sentinel* and has been reprinted since then in the *Sentinel* and the *Orlando Evening Star*:

"WE PLEDGE ALLEGIANCE—A PETITION TO PRESIDENT NIXON"

"We, members of the silent majority, object to demonstrations and desecrations to our flag promoted by professional revolutionaries.

"The television networks are filled with interviews of people talking about being "turned off" and alienated from their country.

"We, the undersigned, have been alienated, too. We are alienated by the unpatriotic rabble we see on our television screens.

"If you are going to listen, don't forget that we, too, are Americans.

"We want you to listen not only to the angry man but also to the loyal, taxpaying, concerned Americans who believe that change must come only through constitutional means—not by violence and threats of violence from a small minority who attract the television cameras.

"Our message to you is that we also want the war in Vietnam to end, but we think your decisions in Vietnam, Cambodia are in the best interest of America.

"Do not fail us now in the face of a mob brought to a frenzy by enemies of our country. (End petition)

"By noon today we had counted more than 25,000 signatures to the petition and thousands of others remained uncounted. We will forward these signed petitions to you in a few days.

"The people of central Florida—and I think the people of the entire nation—want you to know that those who shout the loudest should not cause you to waiver from your goals of seeking a just peace in the world and keeping America strong.

"The signers of this petition will not march on the White House, they will not rampage with rocks, they will not close down our institutions. They speak softly with confidence in our system of Government and with the knowledge that they are, indeed,

"THE SILENT MAJORITY."

WILLIAM G. CONOMOS,

Editor and Publisher, *Orlando Sentinel*.

EARL BURTON, NEW HAMPSHIRE'S SMALL BUSINESSMAN OF THE YEAR

Mr. MCINTYRE. Mr. President, on Tuesday I called to the attention of the Senate the fact that President Nixon has declared this week National Small Business Week. At that time I stated that it is the many small businesses and not the corporate giants which form the real backbone of our economy. I also said that it is only through creativity and determination that small businessmen have been able to survive the vicissitudes of our economic life.

Such creativity and determination are no better exemplified than by Earl Burton from my own State of New Hampshire, who has been chosen Granite State Small Businessman of 1970 by the New Hampshire Advisory Council of the Small Business Administration.

Mr. President, I think it is symbolic that the man accorded this honor is not engaged in the manufacture of com-

puterware or spacecraft components or other esoteric products, but in the rather unglamorous business of rubbish disposal. However, it is an important business since the collection and proper disposal of waste is an essential ingredient in solving the environmental crisis which is causing us so much concern.

Mr. President, the Small Business Administration's announcement of the award to Mr. Burton details how he built this business on hard work and determination. I ask unanimous consent that the text of the announcement be printed in the *RECORD*.

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

NEW HAMPSHIRE SMALL BUSINESSMAN OF 1970,
EARL BURTON, OF HUDSON, OWNER OF EARL'S RUBBISH DISPOSAL SERVICE

The New Hampshire Advisory Council of the Small Business Administration has chosen as Granite State Small Businessman of the Year 1970 Earl Burton of Hudson, owner of Earl's Rubbish Disposal Service. A special committee, headed by Donn Tibbetts of radio station WGIR, Manchester, announced its decision after reviewing several nominations submitted by members of the Advisory Council.

"This type of business is neither exciting nor glamorous," says Chairman Tibbetts, "but here is a typical small businessman who has been successful through his own determination plus a significant assist from SBA." The choice is timely, to say the least, now that the environmental crisis has spurred all conscientious citizens to demand action for a clean environment.

Earl Burton organized his business in January 1963 and registered his operation as Earl's Rubbish Disposal Service. He started with used equipment which he ran almost day and night without help.

In May 1963, Earl purchased a new truck and business increased so fast that, by July, it was necessary to hire one employee. During the first seven months of 1964, contracts exceeded total sales of 1963. Another new truck was bought in May 1964 and a second employee hired in June of that year. By contract and for a monthly income of approximately \$3,000, Earl's collected and disposed scavenger from seven large industries, four important restaurants, and several homes in the Nashua-Hudson area.

Request for service kept increasing. Funds were urgently needed to acquire more equipment, especially large rubbish containers costing \$225 each, to place on customers' premises for storage between collections. Earl also built a garage to store his trucks and equipment. Short-term notes in Nashua banks required high monthly payments. Earl Burton also owned a home on School Street, Hudson, where he lived with his wife and family.

In the fall of 1965, Earl's Rubbish Disposal applied for a loan from the Small Business Administration. His bank stated that it had "no interest in participating in this loan at this time." Part of the loan was to repay short-term, high-interest notes which often kill new small business. But Burton's service was increasingly needed and successful. Management was well qualified, collateral adequate, records accurate, ability to repay evident. The loan was approved on November 29, 1965.

Sales, assets and services have increased constantly since then. Earl's business seems assured as scavenger increases between four and ten per cent a year in the United States, and public officials applaud every good performance by private enterprise of scavenger collection and disposal.

TO INSURE AN ORDERLY AND SAFE WITHDRAWAL

Mr. HANSEN, Mr. President, the former Ambassador to Italy and former Member of Congress, Mrs. Clare Boothe Luce, in an article published in the Honolulu Advertiser of May 7, commented directly on the Cambodian matter.

Mrs. Luce said:

If American servicemen are to be brought safely out of Vietnam, no other course was possible.

She stated that 40,000 Communist troops "were lying in wait" in the Cambodian sanctuaries, to commence "ambushing and machine gunning our departing troops" during the continuation of the President's withdrawal plan, and to further massacre the people of South Vietnam.

This prospect, Mrs. Luce stated, made the Cambodian decision necessary "to leave the unhappy South Vietnamese even a fighting chance to survive after we pull out. It also means that we have to use every damn bit of fire power we have, including the bombing of North Vietnam, to insure an orderly and safe exodus of American forces. This is the course the President has taken: he has 'widened the war' in order to narrow it for our withdrawing troops and our left-behind allies."

Mr. President, I ask unanimous consent that the article and a brief news report concerning the comments of John M. Allison, a member of the University of Hawaii faculty, be printed in the RECORD.

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

[From the Honolulu Advertiser, May 7, 1970]

Pro-Nixon

For good or ill, under the pressure of public opinion, the goal of military victory in Vietnam was formally abandoned by President Johnson, when the bombing of North Vietnam was stopped in 1968, and official peace negotiations with North Vietnam were undertaken in Paris. Also under the pressure of public opinion, and still hoping the policy would convince the North Vietnam negotiators of his honest intent to end the war, President Nixon made the decision to withdraw our fighting forces, over a period of time and in an orderly fashion. That withdrawal was proceeding on schedule, when, last week, President Nixon resumed the bombing of North Vietnam, and entered "neutral" Cambodia militarily.

If American servicemen are to be brought safely out of Vietnam, no other course was possible.

From the very hour when the decision was made to renounce military victory, and end as soon as possible American involvement in the war, it should have been clear to all thoughtful Americans, that there were only three ways U.S. forces could get out; they could go like shorn sheep; they could go like beaten and bloody goats; or they could go like wounded, but fighting, lions.

To leave like sheep—peaceful sheep—meant that our forces would leave as the result of the conclusion of more or less successful peace negotiations in Paris.

God knows that Kennedy tried, and Johnson tried, and Nixon has tried, to negotiate any kind of peace that would leave South Vietnam, and Southeast Asia, free from Communist annexation, and would not destroy

our image and influence in the free nations of Asia.

Statesmen of other nations all over the world were urged to use their good efforts to persuade the North Vietnamese to negotiate. (They tried and failed.) The bombings in the North were halted long ago. Cease-fires were repeatedly offered, and even unilaterally initiated. And the "neutrality" of Cambodia and Laos was respected, despite the fact that North Viet forces were using those countries as military sanctuaries.

All American peace efforts have been to no avail. History records that the sole peace proposals North Vietnam has ever been willing to entertain are the virtual surrender of U.S. forces, and the virtual capitulation of the South Vietnam government. Kennedy and Johnson and Nixon have all rejected this total-victory-for-Ho formula as the basis of a viable peace. (Here we should remember that President Kennedy, who sent the first military advisers to Saigon, also, in 1962, sent 5,000 marines to Thailand to prevent a North Vietnam threat to use that country as another military base for the Communist conquest of Southeast Asia.)

Today, in the light of the history of the long-deadlocked Paris peace talks, it is hard to understand what is in the minds of those who continue to blame Nixon—as they did Johnson—for a U.S. failure to "negotiate peace." One cannot help suspecting that they either lack the political guts to call for a total U.S. surrender, and to advocate communism for all Southeast Asia, or they are really ignorant of the long history of the efforts of three presidents to end the war honorably.

When the policy of gradual withdrawal—to which Nixon had committed himself—failed to break the deadlock in the Paris negotiations, the President was faced with a bleak and tragic prospect: if he continued to weaken American forces in Vietnam, long before the last man left, the withdrawal might turn into an American Dunkirk, and we might be driven out, like beaten and bloody goats, by the forces of Ho. These forces, 40,000 strong, were lying in wait, in their Cambodian sanctuaries, only 35 miles from Saigon.

Hanoi has never renounced its goal of military victory. What if they came down, like the wolf on the fold, ambushing and machine gunning our departing troops, as they gathered at staging areas, and marched towards air fields on their way home? The bloodiest rout in all American history. And what would happen then to the loyal Vietnamese? Does anyone doubt that they would be massacred by the thousands? One only has to remember how the North Viets treated the men, women, and children of Hue when they "liberated" that unhappy city.

Nixon has refused to take this risk of an American Dunkirk.

Those who can stomach the idea, and who may even view it as a happy end to the Vietnam war, should have the guts to say so.

Only one course remained that could hope to insure the safe withdrawal of our troops—to go out like lions—wounded, but nevertheless, fighting. This meant, inescapably, cleaning out the Cambodian sanctuaries of the Vietnam enemy, lest he be tempted to seek the definitive military victory he has always demanded, by wiping out all Americans left in South Vietnam, and swarming like locusts over that unhappy country.

And no other course now can hope to leave the unhappy South Vietnamese even a fighting chance to survive after we pull out. It also means that we have to use every damn bit of fire power we have, including the bombing of North Vietnam, to insure an orderly and safe exodus of American forces. This is the course the President has taken: he has "widened the war" in order to narrow it for our withdrawing troops and our left-behind allies.

The President knows what brave and intelligent men have always known—that the only way out of a dangerous situation is to go right through it.

He also knows—he has said it himself—that his decision may cost him the presidency.

He is being supported, in this tragic hour, by former President Johnson. And no one with an iota of historical sense can doubt that Eisenhower and Kennedy, if they were alive, would also support him. And so would Lincoln and Churchill, who were also vilified and ridiculed and burned in effigy by their own countrymen, for seeking to defend their nations.

I dare to hope that the majority of Mr. Nixon's countrymen will also support him, since the average American, thank God, does not have the vast conceit and arrogance it takes to insist that he knows better how to defend the nation than four presidents.

So let it be Johnson's war and now, Nixon's war. It will turn out better for us, by far, than the peace that men like Dr. Oliver Lee, of the UH, and Jerry Rubin, and their ilk, seek for our nation.

As for the Fulbrights, the Javits, the Goodells, and the Youngs, who must ride in office on the crest of the liberal left waves in their constituencies, one can only regret that they prefer to read "Profiles of Courage," rather than showing them, as President Nixon has done.

CLARE BOOTHE LUCE,
Former Ambassador to Italy
and Member of Congress.

CLEVELAND'S WIRE TO NIXON IS CHALLENGED

A former diplomat, now on the faculty of the University of Hawaii, has challenged University president Harlan Cleveland's telegram to President Nixon opposing the move into Cambodia.

John M. Allison, director of the University's Overseas Career Program, sent the following telegram to Nixon:

"As a retired American ambassador to Japan and Indonesia, a former assistant secretary of state for Far Eastern affairs and a present member of the faculty of the University of Hawaii, I wish to disassociate myself completely from the telegram sent you by President Harlan Cleveland of the University.

"Having spent well over 30 years working in the field of American relations with Asia, I seriously question Mr. Cleveland's statement that 'this campus is so closely in turn with the fundamentals of American relations with Asia' and his using this alleged fact as a justification for his telegram.

"All of us are disturbed and anxious about the situation in Cambodia and all of Indochina, but I doubt that any of us at the University of Hawaii have enough knowledge about the tremendously complicated situation in that unhappy land to justify our attempting to put public pressure on our President."

INDEFENSIBLE CAMPUS VIOLENCE

Mr. GRIFFIN, Mr. President, on behalf of the distinguished Senator from Florida (Mr. GURNEY), I ask unanimous consent that a statement by him entitled "Indefensible Campus Violence" and a telegram signed by more than 750 Floridians be printed in the RECORD.

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

STATEMENT OF SENATOR GURNEY

Mr. President, in recent days, the Nation has been experiencing an almost unprecedented wave of protest about our presence

in Cambodia. Most students in colleges have behaved rationally—regardless of their views on Cambodia. But there has been another side to the protests. A sizeable bloc of students have taken to the streets and have committed criminal acts, supposedly as a form of protest. I find this criminal conduct reprehensible and indefensible: I think it is incumbent on all of us in Congress, regardless of our views on Cambodia and Viet Nam, to do what we can to halt this violence. We can begin to do that by labeling criminal acts as criminal acts. It is insanity for these youth to think that they can influence Government policy by burning down ROTC buildings or by committing felonious assaults on policemen. We cannot and should not sympathize or attempt to justify such violence in any way. We must condemn it—promptly and emphatically.

I have received a telegram signed by more than 750 Floridians which emphasizes my point: these Floridians are upset—and rightfully so—at the disruptions which the handful of revolutionaries and malcontents are visiting on our campuses today and the harm they are doing to their fellow students.

WAUCHULA, FLA.,
May 13, 1970.

EDWARD GURNEY,
U.S. Senator,
Senate Office Building,
Washington, D.C.

We the undersigned citizens and taxpayers of the State of Florida wish to protest the apparent dictation of a few militant students at our State universities. We firmly believe the vast majority of students at these universities would prefer to be left alone to pursue their educations and that State officials and university administrators should recognize their rights and the rights of the people who pay the bills for the universities. We respectfully request an investigation of the sources of these disturbances. Are they fueled by militant professors, professional outside agitators or out and out subversives? Concernedly,

Joseph A. Mancini, Dewey E. Whidden, Sr., Margaret S. Wefford, Doyle E. Carlson, Jr., Ann Sasser, Willie Senterfitt, Erura P. Gilbreath, Joyce M. Sutton, Don Henry, Billy Laypot, Virgil P. Weed, William H. Perdue, Emory L. Burnett, Linda Lauhon.

O. K. Johnson, Kathryn B. McDonald, Lawrence See, Gordon L. Murphy, James R. Dudley, Ardis See, James V. See, Jack A. Carlton, Gilbert C. Rouse, John C. Ekland, M. J. Ritchey, Fern Ritchey, Dolly Murphy, Hugh Murphy.

Levinta Farnsworth, R. A. Wingate, Dot Jarvis, Leon Schrader, Patty C. Schrader, Jim Jarvis, Alonzo Whitehead, Virginia Patterson, W. P. Davis, Mrs. W. P. Davis, James Knight, Joe Cannon, Scaffest S., Tommie Albritton.

Milton Poucher, W. G. Smith, J. B. Anderson, Jr., Kenneth Willis, W. J. Kelly, George T. Trogdon, E. M. Barkdoll, Marshall Gough, Ramon Silverman, J. P. Michell, Donney Waters, Charles Dicky, W. A. Fussell, C. Barkley.

E. C. Reddick, Carolyn Reddick, Rev. Charles M. Cloud, J. G. Smith, G. D. Brummett, Betty J. Bryan, Ruth C. Harlonpe, C. Harlan, Nelda Mallory, Ann Nell Brady, Edward E. Thomas, James R. Miller, Richard Maenpaa, Doris Ann Wolfe, Irene Fussell.

Dora Milendreras, Lois Dadrige, D. R. Lambert, J. C. Richardson, O. W. McClenuhan, Lester Shmard, Sidney Brawdy, Wilbur Turner, Dean H. Richardson, Joseph Jernigar, Sharon Richardson, Dudley Rogers, Tony Garza, Jr., Gwendolyn Jerigan.

Cline Chevate, Frank Choate, Frank Lewis, Irvin La Rue, June C. Poucher, H. A. Strickland, Ronald Waters, L. W. Roberts, R. Smith, Gladys Barley, Louise C. Parker, J. L. Parker, Leland Wilms, Robert Ray Smith.

Charlie Jones, Harry S. Milbrath, R. C. Minecy, Juanita Milbrath, L. E. Reas, D. O. Wiston, Walter B. Olliff, Dexter L. Barkley, J. C. Hayman, Billy G. Ward, Frank J. Mancini, Helen W. Mancini, Roy Conerly, Irvin Lockler.

Bill Barley, Robert L. Hugh, W. Dow Durrance, Bonita Durrance, Nortris Brooks, Mary E. Brooks, Mary C. Makowski, E. A. Makowski, Jack Eason, Edgar Davis, Doloris G. Smith, Clarence A. Sterner, Mrs. Clarence A. Sterner, Jim Moye.

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Jessie Harrison, Alice Harrison, Judy Tate, Gerald Fuller, Mike Tate, Aretha Fuller, Mary A. Howard, Nita L. Terrell, J. W. Cejka III, Lorán Cognurn, Mildred Kelly, Charles B. Anderson, Wayne H. Powell, Judy Christian, James Christian, A. Bailes.

James Miller, Judy Miller, Oscar T. Miller, Mrs. Oscar Miller, Doyle Bryan, L. T. North, Louis Bryan, C. B. O'Bryan, Mrs. Marie Polk, Mrs. R. H. Lee, Mrs. Bob Fite, J. T. Mitchell, Robert G. Dick, Charles Hodges, Laura Bostick.

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Ruth Anderson, Beatrice Lanigan, Amogene Magee, Cleo Horne, Pearl Smith, George W. Magee, Isabel F. Akins, Priscilla Blair, John Carneybertha Adkins, Donna Armstrong, Mrs. James Gist, James V. Gist, Tomye R. Albritton, Sammy Saro.

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Harold E. Henderson, Billy Tubbs, Jim Porter, Kenneth Watson, Walter Williams, Coleman W. Best, Adrian Chapman, George Statton, Junious Roberts, Vgeorge Ball, Jr., Larry Summers, Jessie Heeton.

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Shafter Crawford, Bernett Shufferd, Jeff Smith, Frank Wayne Bass, Dewey W. Cowart, Gordon Stephens, Joe Baxter, Horace Graham, Charles H. Tillman, T. S. Napier, Eugene Lanier, Maurice Albritton, Billy Cathey, Joseph Smith.

Minor Bryant, V. H. Durrance, B. J. Johnson, Mrs. B. J. Johnson, Mrs. Ora Bryant, Mrs. Rhoda Durrance, Mrs. Josephine Smith, Mrs. Marcelle Aberwathy, Earl Sellers, Ray Whitt, J. W. Brown, Sr., Gerald Allison, Earl White.

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A. S. Tate, Guy E. Polk, F. M. Peacock, Tommy Arant, W. A. Hall, Mrs. F. M. Pearson, Edward Stephens, Jerry L. Lawhon, Raymond Chabers, Mae King, Hugh King, Lee Herbert, Sandy Hobart.

Lucile E. Adams, Iva Allen, Latimer C. Farr, Lois W. Farr, L. L. Linder, Bob Staton, Ethel McEvans, L. Q. Roberson, Tessa Howard, Elbert Waker, M. Joan Kroll, Henry McCormick, Amelia P. Lambert, Lester Lambert.

Eurice Lambert, Clayton Driskell, Harold McTeer, M. E. Bryan, Robert Collins, Myra Tylor, Emory C. Daniel, James Knight, Charles Hartfield, P. C. Daniel, Bobby G. Floyd, David Maddox, Fred Guermndt, Halcott Wilsono.

I.aren Melendy, Henry H. Melendy, Jr., Sara Kay McClenithan, Carl Langer, Mitchell E. Hope, Earl Rutland, Paul D. Jones, Ronnie Driskell, Mrs. Richard Keller, Bobby English, James Merritt, J. R. Allen, L. E. Reas, W. R. Cochrane.

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Vasco Skipper, P. A. Perrine, Bruce Perrine, Charles F. Granger, William S. Coker, Mrs. Robert Maxwell, Ivon Tilyou, Tom B. Cooper, A. A. Coestline, George Helens, Bess Stallings, James T. Stallings, Earnest H. Rawls.

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Ruby Clifton, Carl Douglas, James Grimes, Jim Mitchell, Horace Staton, Charlie Spencer, C. B. Cannon, Rev. Dag Cordonvi, George Curphy, Leone Purvis, Margie Griffin, Gussie Sauls, Inez Gayloro, Mike Barnes.

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Phyllis Nickerson, Mrs. John W. Himrod, J. E. Jowers, Mary Frances Tomlinson, Mrs. Jeffie Heine, Joan Harris, Mary Rogers, J. B. Williams, Annie Hart, Mrs. Lawrence See, Mrs. Charles Nicholson, Mrs. James S. Smith, Mrs. Merle Rvels, Mrs. Horace Graham.

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R. B. Roberts, Alma Jones, Margaret Polk, Cecil Polk, Betty Chambless, Euley Murphy, Jr., Mrs. C. A. Barker, Bert Milligan, H. L.

Limeback, Klaine Platt, D. E. Hayes, Arthur Murphy Sr., Albert Murphy.

Donald R. Keen, Hugh Sapp, Esther Jones, Mrs. T. H. Jones, C. B. Harden, Homes Baker, James Greene, Myrtee Stevens, James A. Conrad, Margaret Tande, Mavis Cothran, Crystal Batton, Floyd F. Fields, Wallace Murphy.

John P. Foolsby, Jr., Abbie Turndentine, W. C. Lerley, Robert Dickey, Calhoun Richardson, Ethel Howerton, Steve Skitka, C. H. Ballenger, Rickie Baker, Lewis Cathcart, Jack Corley, Mathew Albritton, Aiton L. Lindsey, L. A. Albritton.

H. O. Buchanan, Andrew Dean, Clarence E. Reams, Frits Myer, Joe E. Stevens, Charlie Scott, Sr., G. W. Boland, Louis V. McLeod, Virgil Devore, J. W. Crews, Arthur K. Bibine, Talmadge Sharpe, Kelly Anderson.

Alton Rogers, Rev. Herman Collins, C. C. Searcy, R. T. Cook, Beulah Cook, Al Adkison, Guy A. Stiner, Maurice Henderson, Truman Boyette, Curt Truitt, B. R. Brown, Saa Lee, Walter M. Pearson, John F. Goolsby, Sr.

Imogene Goolsby, C. B. McClelland, Deiores McClelland, J. W. Lessley, C. O. Shumard, Doyle Webb, Irma K. Webb, J. D. Turndentine, R. D. Albritton, V. J. R. Rainey, Milton Roberts, Reid Rainey, Shelby McIntyre.

I. J. Gaffeny, Mack Peacock, Marion R. Platt, Truman Leach, Lupe Nino, Abel Martinez, Zola R. Bennett, R. C. Bennett, Manuel T. Alvarez, Howard Bolin, Lupe Gonzalez, Daniel B. Duke, Guy Albritton, Eleanor Little, J. W. Armstrong, Mary Albritton, Billy E. Huddleston, Charles E. Revell, Paula Revell, W. Albert Carlton, N. Smith, Mrs. J. D. Diggs, Edward Simon, Mrs. Carl W. Coker, Carl W. Coker, Ouida Roberts, Alma Ellis, Mrs. Calvin Wilson.

Mary Smith, Malcolm M. Sayre, Lois Colavito, Mrs. Cleo Prine, Mrs. Mae Brown, Mrs. Evelyn Swalls, Mrs. Marvin Black, Mrs. Russell, Owe, Jet Tillis, Mary Douglas, L. Curry Rakey, Vernon Delora, Ilene Parrish.

R. W. Banks, Pete Partridge, Clarence T. Gantt, Reson L. Holt, Claude Rainey, Lois Duke, Gene B. Duke, Mrs. Lola Shackelford, Donald Gibbs, Carla Gibbs, Mrs. H. D. Smith, Mrs. Harry Gibbs, Fay Oden, Terri Counts.

Wayne Jernigan, Leland Wilkins, Lawrence W. Roberts, C. S. Dishong, Mrs. Robert L. Gibbs, Robert L. Gibbs, Mrs. Chad McFaland, Gaynelle K. Counts, Mrs. S. G. Moskey, Ruby Foster, Linda Lee Ford, Mrs. Ralph Rickels, C. C. Duke.

Jack Himrod, Jr., Joseph D. Clark, C. W. Peavy, Loraine Peavy, C. H. Daniels, John Alkriton, Ralph Carlton, Clayton O. Evers, Viola Lanier, Mary Wale, P. E. Bumby, Horace Wilkerson, L. Knight.

Jack Cllett, Helen Lovett, Helen Lovett, Ritce Godfrey, Virgil Wilson, L. Dale Carlton, Jean B. Burton, Catherine L. Foster, Ethel G. Webb, Julian P. Davis, Leah Bonard, Benson Bolin, Louis Hughes, Calvin Wilson.

O. K. Norris, H. H. Shiver, Tom Prine, Mrs. Martin Roberts, A. C. Bolin, Charles C. Adler, Opal S. Knight, Marcella Purdom, Louise Mosele, Lynda Perry, Lois Hampton, Frank Hampton, W. Ben Hart.

Pamela Sue Rabon, J. W. Thrallkill, Mrs. S. O. Wall, Mrs. Grady Burton, Mrs. Elton Lowe, Mrs. Bartkey Sapp, Mrs. George Marrs, Mrs. Glass, Robert Donohue, Richard Klimczak, Earl Autry, Carl Neal, Vassie Farr.

Gordon L. Murphy, Doris Murphy, Mrs. A. E. Jackson, Sr., Susue Birge, Jim Hardy, Sr., Rev. John D. Smith, James W. Chestnut, Lee Swalls, Andy McIntyre, Dorothy Grimsley, Bobby Taylor, Ralph K. Taylor, Horace McCray, Jr., Frank Snelling.

Bob Hughes, Tommie Torres, Ronald Wilson, Mrs. W. H. Smithwick, Mrs. Opal Harris, V. G. Allen, Larry Martin, Brenda Martin, Betty Judah, Mary McIntyre, Mary King, Ed Brooke, Terri Bryan, Mrs. Ed Booke.

J. A. Evers, Herschel Marshall, J. F. Sellers, Wm. James Forrister, Jr., Bedford A. Prescott,

Vernon Reed, James Sellara, Mrs. Jack L. Smith, W. B. Beeson, Mrs. H. H. Gantt, O. B. Stanstill, E. J. Wilson.

Emil Causey, Tommy Earl Dukens, J. W. Smith, Linda B. Carlton, Phil E. Glorius, George Helms, Icecil Lee, Robert Weeks, Murrell Prescott, G. A. Keene, Robert Z. Olliff, L. C. Clark, J. B. Searcy.

Talmadge Jowers, Ralph Smith, Ruth Thomas, C. A. Rief, Jr., Samuel L. Osenbenger, Earle Micjerson, Audrey Gace, Faye Crawford, M. M. Carlton, Kay Blackmon, Carrie Slaughter, M. M. Moye, R. L. Mushrush, Edward Thompson.

Robert Mushrush, Joe Carlton, John D. White, Gary Mills, David Barrett, Letha Codry, Lucy J. Rhodes, Ralph H. Rhodes, Glenn S. Slaughter, D. R. Harman, Mrs. Jimmy Hanchey, Mavis H. Conerly, Dayree Grimes.

J. W. Bennett, Joe Hanchey, Mrs. Jack Soles, James Watts, Mrs. Mabry Carlton, S. M. Goodwin, Hilah H. Cochrane, Mrs. Theron Royal, Mrs. S. M. Goodwin, Caudie Smith, Mrs. Catherine Garrison, Mrs. O. K. Norris, Mrs. W. R. Fewox, Jr.

Sam E. Holland, Martha Holland, Mrs. G. A. McDonald, Mrs. Dorothy Sates, Mrs. Geraldine Cogburn, W. B. Gaerett, Betty Bennett, Ethel L. Webb, Chas Perry, Irene Gramling, Jack Gramling, Mrs. Carolyn Gilliard, Maurice Gilliard, Julius Peters.

D. J. Cowart, Hill Blackmond, Mrs. Leland Wilkins, Charles H. Cannon, Judson R. Cannon, Mrs. E. S. Clavel, Mrs. J. F. Stewart, Mrs. Orin Tomlinson, Orin Tomlinson, Mrs. G. B. Sause, Wayne Jones, W. C. Ayers, O. L. Grice, Elvis Ayers.

J. H. Gibbs, W. O. Parker, H. L. Paker, Roy Burse, Billy Burse, Billy Woods, Jesse Burse, May Burse, Junior Burse, Edward Ayers, Tony Ayers.

Benito Travino, Benito Trevino, Robert E. Scott, Ed Belcher, Less L. Porter, J. A. Evers, Karen Johnson, Minnie Ayers, William Forrister, Larry W. Durrance, Thomas Wadams, W. L. Brown, D. S. Lawrence, Ervin Bodiford, Noel Rowland, Frank Wingo, Gary Armstrong, J. F. Hancock, L. F. Hudgins, James Griffith, Domingo Jaquez, Rodolph Garza.

DEPARTMENT OF AGRICULTURE 24TH ANNUAL AWARDS CEREMONY—ADDRESS BY SENATOR CURTIS

Mr. HRUSKA. Mr. President, on Tuesday, May 19, my distinguished colleague from Nebraska (Mr. CURTIS) had the honor of addressing the 24th Annual Honor Awards Ceremony at the U.S. Department of Agriculture. I would like to share his remarks and the names and accomplishments of the honorees with Senators.

I invite special attention to the Senator's remarks on public service:

One cannot serve the public interest and the highest ideals and at the same time be disloyal to his Department, to his government, or to those who carry the responsibility for the overall policies of our government.

The events of recent weeks bring the wisdom of these words clearly into view. Loyalty and patriotism are needed in our great country today as they have never been needed before. I commend my fellow Senator from Nebraska for continuing to speak forthrightly on these issues that are so dear to the hearts of all Americans.

I ask unanimous consent that Senator CURTIS' remarks and the names of the award winners be printed in the RECORD.

There being no objection, the items

were ordered to be printed in the RECORD, as follows:

SPEECH OF SENATOR CARL T. CURTIS

Mr. Secretary, honorees at this ceremony, ladies and gentlemen, friends all, it was with a great deal of pleasure that I accepted the invitation to speak briefly on this occasion. My State of Nebraska has a special interest in the United States Department of Agriculture. Since agriculture is Nebraska's leading industry, it is natural that we are interested in all of the programs of this Department for the betterment of rural America, but we have some sentimental reasons that add to our interest in the Department of Agriculture. One of the first Secretaries of Agriculture was a distinguished Nebraskan, J. Sterling Morton. Secretary Morton was the founder of Arbor Day. His influence has probably caused the planting of more trees than the influence of any other man in all history.

Nebraskans are proud and happy over the fact that President Nixon chose as his Secretary of Agriculture another distinguished Nebraskan, an individual who is committed and dedicated to improving the economic position of the farmers of America, The Honorable Clifford M. Hardin.

Not every gathering in Washington is like this one. We are here to honor outstanding public service. We are here to properly recognize a number of individuals who have unselfishly rendered unusual service.

The men and women whom we honor today have set an example for all of their fellowmen at a time when character values are questioned in too many places. These people who are being honored have placed the public interest ahead of their own personal desires. These honorees have refused to let the humdrum, the frustration, the problems, and the discouragements that come to all mankind day after day chart their course of action. They have done a good job not because their task was easy, but because they applied themselves and rendered a superior performance when the task was difficult.

I observe from your program that these honor awards are going to individuals who are involved in a broad scope of activities, including such fields of endeavor as program administration; group achievement; management and general administration; equal employment opportunity; science, engineering, and technology; support personnel; and heroic action.

None of us has the time, and I am not equipped, to discuss the outstanding achievements that have taken place in each of these fields. No doubt there are many characteristics of accomplishment that run throughout all of these varied activities. These individuals whom we honor today possess qualities of character and performance that have made it appropriate for them to be so honored. I would like to mention four such qualities of character. I refer to knowledge, dedication, hard work, and loyalty. I believe that all of our honorees possess those virtues.

There never was a time, much less our present day, when basic knowledge was not of supreme importance. Responsible individuals must know what they are doing. They must possess knowledge. It is easy for us to observe how a successful surgeon or an astronaut must first of all know what he is doing. Even though it might be a little more difficult to dramatize, it is equally important that every employee and officer of the United States Government has a broad and increasing knowledge concerning all aspects of the job to which he is assigned. I am confident that our honorees possess such knowledge and for that I commend them and I congratulate them.

The public servants we honor today are honored because of their sense of dedication. They are honored because they have placed all of their talents, all of their abilities, all

of their time, and all of their hopes and aspirations in an effort to achieve a job well done. Knowledge of the mind and dedication of the heart are most essential ingredients to success.

I would also like to commend our honorees today for the hard work that they have performed. Our generation has been greatly blessed with labor-saving devices. It is true that whether we work on the farm, in the factory, or in the office, man has been relieved of certain drudgery because of the technological progress that has been made and because of man's ability to utilize machines. The fact remains that nothing worthwhile can be accomplished without hard work. That was true in the years gone by—it is true now. I believe that it will be true for all time to come. It matters not whether we are called upon to work in an obscure office or a well publicized position on Cabinet level. We must choose long hours and hard work or choose failure. Laziness is man's enemy. We honor these hard workers today because they have overcome that enemy.

The great public servant must be a loyal public servant. One cannot serve the public interest and the highest ideals and at the same time be disloyal to his Department, to his government, or to those who carry the responsibility for the overall policies of our government. I do not imply that we should urge blind submission or abolish the right to disagree and dissent. I do say that without broad basic loyalty, there can be no teamwork. Without teamwork, no enterprise can serve the people of the United States. Loyalty and patriotism may not always be popular but they are virtues. The honorees today are honored because of their loyalty to the Department of Agriculture, the hard work that they have performed, their sense of dedication, and the vast knowledge that they have brought to their job. These people are living examples of what Phillips Brooks urged when he said, "Do not pray for easy lives. Pray to be stronger men. Do not pray for tasks equal to your powers. Pray for powers equal to your tasks."

In behalf of the Congress of the United States and all the people who are benefited by the Department of Agriculture, I congratulate each and every one of the recipients of these awards. You have earned this award. We are delighted that you are to receive it, and we commend you all.

DISTINGUISHED SERVICE AWARDS

IN THE FIELD OF PROGRAM ADMINISTRATION

Alex C. Caldwell, Administrator, CEA; Washington, D.C. For outstanding leadership and sound judgment in developing a program of Federal regulation of rapidly expanding futures trading in agricultural commodities, and administering this program with a high level of economy and efficiency.

Arthur W. Greeley, Associate Chief, FS; Washington, D.C. For eminent leadership and service to America through the development and implementation of public policies having both domestic and foreign aspects, which has assured wise management and utilization of the Nation's natural resources.

Ralph W. Phillips, Director, International Organizations Staff; Washington, D.C. For valuable contributions to international collaboration in agriculture, exceptional skill in representing the United States in international forums, and for contributing significantly to international agricultural development.

Noel P. Ralston, Associate Director, Science and Education, SEC; Washington, D.C. For exceptional leadership and effectiveness in coordinating science and education programs of the Department, in developing policy and strengthening departmental relations with the universities, particularly in regard to cooperative extension, research administration and civil rights.

IN THE FIELD OF SCIENCE, ENGINEERING, AND TECHNOLOGY

Aaron M. Altschul, Director, High Protein Foods and Agribusiness Group, FEDS; Washington, D.C. For exceptional scientific ability and dynamic leadership in identifying and emphasizing the world problem of protein hunger, and initiating a wide variety of innovative programs for its solution.

Robert J. Anderson, Associate Administrators, ARS; Washington, D.C. For distinguished leadership in increasing efficiency of American agriculture and safety of the Nation's food through protecting the environment from contamination while achieving effective control of agricultural pests and diseases.

Ruth R. Benerito, Research Chemist, ARS; New Orleans, La. For notable contribution as teacher and researcher to the chemistry profession, particularly for basic research in physical chemistry and application of fundamental principles to solutions of applied research problems.

George F. Sprague, Investigations Leader, ARS; Beltsville, Md. For creative research in the theory and methodology of plant breeding and plant genetics, and for inspiring and foresighted leadership of a corn and sorghum improvement program that has won international recognition.

GROUP ACHIEVEMENT

Wurpeel Unit, ARS; Albany, Calif. For the conception, development, and extension to commercial use of a new peeling process which reduces by 75 percent the water pollution during potato processing, with concurrent operating economies.

SUPERIOR SERVICE AWARDS

IN THE FIELD OF PROGRAM ADMINISTRATION

Harold E. Andersen, FS; Sandpoint, Idaho. For exceptional vision and dynamic leadership in the administration of the Kaniksu National Forest and for unusual initiative in directing its protection and development.

David H. Askegaard, REA; Washington, D.C. For creative thinking and effective participation in efforts to save the U.S. Treasury millions of dollars by developing supplemental, private financing for rural electric systems.

Wallace Barr, Jr., ES; Columbus, Ohio. For unusual imagination, initiative, and teaching ability in developing an educational program in marketing policy, greatly benefiting not only the citizens of Ohio but also the Nation as well.

Kenneth R. Bower, FHA; Des Moines, Iowa. For sustained strong leadership and noteworthy personal example in implementing and administering sound loan programs that are effectively improving the economic and social welfare of rural people in Iowa.

Merritt D. Burdick, SCS; Phoenix, Ariz. For dynamic leadership and initiative in formulating, coordinating, and managing an effective soil and water conservation program for the State of Arizona.

James H. Burnette, C&MS; Montgomery, Ala. For exceptional skill in the administration of inspection programs in Alabama and for outstanding ability to get along with people.

Claude T. Coffman, OGC; Washington, D.C. For outstanding legal services, exemplified by consistent sound judgment, unusual proficiency, and leadership in effectuating numerous agricultural programs and in the development of important legislation relating to the agricultural economy.

Kenneth G. Fooks, SCS; Chandler, Ariz. For superior leadership in resource conservation and development and for superior management of work unit operations in Arizona to provide exceptional service to the public.

Herbert L. Forest, C&MS; Washington, D.C. For effective leadership and administrative

skill in the development and operation of highly complex dairy marketing programs to the direct benefit of dairy farmers, the dairy industry, and consumers.

Claude B. Freeman, ASCS; Washington, D.C. For providing dynamic leadership in the formulation of the highly effective price support program of the Department.

L. L. Gast, C&MS; Arlington, Va. For exemplary contributions in strengthening and maintaining public confidence in Government through strong leadership, ingenuity, and resourcefulness in developing policies, programs, and procedures for insuring integrity and effectiveness of major Federal programs.

Bruce M. Graham, SRS; Washington, D.C. For exceptional initiative and creative leadership in developing and implementing a sophisticated nationwide program of data collection for the Statistical Reporting Service, emphasizing modern statistical techniques and efficient operating methods in collecting data from a changing and complex agriculture.

Herbert C. Gundell, ES; Denver, Colo. For valuable service to an urban area and for adapting Extension programs and finding new educational methods to help Denver citizens meet problems of a large population of mixed cultures.

Robert L. Heffner, SCS; Rochester, N.Y. For pioneer work in New York, focusing soil survey information on urgent suburban problems, bringing soil and water conservation districts into the field of long-range community planning.

John W. Jenkins, ES; Broadus, Mont. For conducting a comprehensive educational program which has been responsible for the development of a better community, greater teamwork among citizens, and more opportunities for young people.

Walter E. Jett, ES; Marlinton, W. Va. For significant contribution as a community educator in helping to develop rural resources, camps for youth, and a million-dollar livestock industry for Pocahontas County, W. Va.

Alvan M. McDowell, C&MS; San Francisco, Calif. For unusual professional competence in planning and implementing a program for a new market news service on ornamental crops while maintaining excellence in reporting some of the Nation's most important fruit and vegetable production areas and one of the largest wholesale markets.

Donald J. Novotny, FAS; Washington, D.C. For devising improved means of providing timely and more exact information on competition faced by U.S. wheats and feed grain in world trade.

Clyde R. Payne, ASCS; Jasper, Fla. For exceptional leadership in presenting and administering agency programs in Hamilton County, Fla., which resulted in increased program participation and better understanding of ASCS programs by producers.

Wilfred L. Phillipsen, FAS; Port-of-Spain, Trinidad. For superior initiative and performance in promoting the sale of U.S. agricultural commodities in the Caribbean area.

Larry E. Rackliff, FHA; St. Albans, Vt. For energetic and effective implementation of programs, substantial contribution to the area economy, and for achieving the best loan repayment record in New England.

Carolyn C. Russell, ES; Raleigh, N.C. For outstanding leadership in coordinating resources of industry, education, and government to effectively demonstrate improved living conditions for the disadvantaged through an exemplary educational program in low-cost housing.

Glenn D. Simpson, SRS; Washington, D.C. For keen perception in identifying technical and operational needs of his agency; for the vision to anticipate agricultural and technical development, and for the application of superior leadership and administrative competence in the Statistical Reporting Service.

Harold M. Stevens, ES; Lexington, Nebr.

For exemplary leadership, innovative methods, and unusual ability to inspire and work with others, which have helped Nebraska farmers solve their pest control, soil testing, and livestock problems.

Bernice Strawn, ES; Corvallis, Oreg. For creative approach to motivation of unskilled mothers and development of a program to help them become employed, provide improved family life, and contribute to the economy.

Algot R. Swanson, SCS; Salt Lake City, Utah. For dynamic leadership and initiative in formulating, coordinating and managing an effective soil and water conservation program in Utah.

Henry F. Swanson, ES; Orlando, Fla. For imaginative and dynamic leadership in developing educational programs that achieve public understanding, economic betterment, and vital improvements for farming in one of the Nation's leading agricultural areas.

George C. Tucker, FCS; Washington, D.C. For valuable assistance to dairy farmers by enabling them to increase their marketing returns through improved organization and efficiency of dairy cooperatives.

Helen D. Turner, ES; Washington, D.C. For exemplary leadership in developing and implementing a nationwide food and nutrition educational program to help raise the nutritional level of socio-economically disadvantaged people.

Wilburn M. Williamson, ES, Sa Dec Province, South Vietnam. For unusual ability and skill in developing agricultural programs and human resources through creative Extension programs that increased agricultural production, improved living conditions, and aided pacification in Sa Dec Province, South Vietnam.

IN THE FIELD OF MANAGEMENT AND GENERAL ADMINISTRATION

Fritz A. Albert, ES; Madison, Wis. For esteemed filmmaking skills, and for production of educational films to disseminate agricultural technology, inspire citizen action on environmental protection, document socio-economic development, and enhance classroom teaching.

Mildred H. Brown, ASCS; Washington, D.C. For unusual skill and leadership in initiating, developing, implementing, and evaluating recruitment and placement programs and for outstanding professional leadership in her specialized duties.

Audrey A. Cook, OMS; Washington, D.C. For professional competence and outstanding leadership as editor of *The Farm Index* magazine, greatly contributing to its effectiveness in disseminating research information.

Carl H. Dorn, SCS; Washington, D.C. For excellence in the development of budgetary and accounting systems and staff to service complex operating and scientific programs, and to maintain their financial integrity.

Daniel P. Dowling, OIG; San Francisco, Calif. For strong leadership, managerial skill, and professional competence in the creation of one regional office and the development of another while promoting and maintaining the high standards of service and excellence associated with the Office of the Inspector General.

Betty M. Elerding, FS; San Francisco, Calif. For exemplary achievement and outstanding leadership in promoting preretirement planning and retirement counseling both within and outside the Department of Agriculture.

Clarence J. Enzler, SEC; Washington, D.C. For sustained, highly superior service in the preparation of statements of unusual quality explaining agricultural policies at the highest national level for the Secretary of Agriculture and other top USDA officials.

Leonard H. Greess, OIG; Washington, D.C. For exceptional leadership and outstanding achievement in the organization and development of the Office of the Inspector General; for noteworthy innovations; and for assum-

ing responsibilities far in excess of job requirements.

Joseph A. Hundley, FS; Albuquerque, N. Mex. For dynamic leadership and outstanding achievements in developing and promoting simplified practices of financial management, work planning, and reporting methods to meet management needs at greatly reduced cost.

Donald J. Hurst, OMS; Washington, D.C. For exceptional performance in directing the Office of Management Services' space and facilities management program, resulting in efficient handling of a number of major relocations of serviced organizations.

Glenn A. Kovar, FS; Pasadena, Calif. For enhancing the image of Forest Service through innovation in planning and executing information programs for all communication media resulting in such outstanding productions as the *Lassie-Forest Ranger TV* series.

Lawrence W. Modlin, ARS; Beltsville, Md. For superior production and effectiveness in the administration of the Crops Research Division's fiscal and personnel affairs.

Robert B. Rathbone, ARS; Washington, D.C. For outstanding leadership in improving communications with scientists, educators, consumers, and the general public; and for instituting new and more efficient management and personnel practices.

Bernhard A. Roth, SCS; Upper Darby, Pa. For imaginative and productive leadership in the development of public information activities designed to reach large numbers of urban people through radio, television, newspapers, and magazines.

Olin T. Seely, SCS; Alexandria, La. For meritorious staff leadership in business administration and personnel management toward a sound soil and water conservation program for Louisiana.

Audrey L. Warren, SEC; Washington, D.C. For sustained excellence and efficiency in performance of her duties as confidential secretary to two Secretaries of Agriculture.

Charles Gordon Webb, INF; Washington, D.C. For exceptional ability to organize and execute Department-wide information programs and for singular resourcefulness and creativity in working with agencies to develop maximum information support for Department policies and goals.

Rudolph A. Wendelin, FS; Washington, D.C. For his truly great artwork, dedicated to *Smokey the Bear* and the Forest Service in his uniquely unselfish and humble fashion.

IN THE AREA OF EQUAL EMPLOYMENT OPPORTUNITY

Larry L. Boggs, FS; Pasadena, Calif. For exceptional initiative and unusual accomplishment in developing and conducting an equal employment opportunity program through recruitment and placement of minority group members in the Federal Service.

Carl A. Lindstrom, SCS; Washington, D.C. For creative and dynamic leadership in developing and advancing the equal employment opportunity program of the Soil Conservation Service.

Thomas C. Nelson, FS; Washington, D.C. For superior leadership and success in involving Tuskegee Institute and other southern Negro colleges in forestry programs in order to encourage more black students to enter the professions associated with forestry and wildland ecology.

Albert R. Nesuda, SRS; Washington, D.C. For outstanding achievement in providing job training, guidance, encouragement, and equal employment opportunity to a group of Washington, D.C., high school students.

IN THE FIELD OF SCIENCE, ENGINEERING, AND TECHNOLOGY

Rudolph D. Anderson, SCS; Denver, Colo. For providing exceptional technical leadership to SCS employees and guidance to group leaders that has resulted in organization

structures involving all but three counties in Colorado in multicounty resource planning and development.

Michael A. Barton, FS; Ely, Minn. For extraordinary action devoted to the preservation of water quality of near wilderness areas.

Burdette D. Blakely, SCS; Washington, D.C. For eminent leadership in the development of agronomic programs for conservation of natural resources throughout the United States and in many developing countries.

George E. Bohart, ARS; Logan, Utah. For pioneering research in the field of wild bee management which has greatly improved commercial alfalfa seed production and resulted in the establishment of a new multimillion-dollar entomological industry.

Gerald J. Coutant, FS; Missoula, Mont. For dynamic leadership in developing and promoting new concepts for the management and enhancement of the scenic environment in multiple use of resources on Federal, State, and private lands.

James W. Crowley, ES; Madison, Wis. For unusual talent in translating research into useful programs and masterful application of these programs to the betterment of dairying in Wisconsin and throughout the country.

Velmar W. Davis, ERS; Washington, D.C. For valuable service to the Department and to the Nation through timely and effective research leadership and economic evaluations of present and future utilization of production resources, particularly manpower and pesticides, in U.S. agriculture.

Harlan D. Ellis, C&MS; Kansas City, Mo. For outstanding leadership and assistance in organizing and developing a comprehensive meat and poultry inspection program for the State of Missouri while assigned under the Federal-State Employee Interchange Act.

Alfred L. Everett, ARS; Wyndmoor, Pa. and Irwin H. Roberts, ARS; Albuquerque, N. Mex. For important research resulting in the discovery of the cause and prevention of the cockle defect in sheepskins, a costly problem of the tanning and associated industries.

Jerry F. Franklin, FS; Corvallis, Oreg. For unusually productive forestry research and exemplary leadership in developing cooperative relations with national and international agencies and educational institutions, which are bringing credit and distinction to the Department.

Richard G. Garner, CSRS; Washington, D.C. For superior leadership and professional competence in planning, coordinating, and implementing cooperative food science and utilization research programs between the State agricultural experiment stations and the Department.

Hoover L. Lambert, FS; Asheville, N.C. For exceptional initiative, perception and ingenuity as supervisory technician while developing new procedures for difficult surveys, training personnel, and earning recognition for his expertise from industry, State organizations, and colleges.

Vincent P. Maier, ARS; Pasadena, Calif. For unusually imaginative research in elaborating the long-sought mechanism of delayed bitterness in citrus juices and in identifying the enzyme system that prevent bitterness in the intact fruit.

Donald H. Marx, FS; Athens, Ga. For original and basic research contributions leading to a fuller understanding of the role of mycorrhizae in protecting the fine roots of forest trees against pathogenic soil fungi.

Howard B. Petty, ES; Urbana, Ill. For dynamic leadership, creative efforts, and diligent service to farmers, operators, dealers, and county agents to assure wise and safe use of pesticides.

Thomas R. Richmond, ARS; College Station, Tex. For improving knowledge of cotton genetics and breeding through personal research, effective leadership of a research

team, coordination of a regional research project, and training of scientists in genetics.

Henry T. Skinner, ARS; Washington, D.C. For extraordinary service to agriculture, particularly ornamental horticulture throughout the Nation, and for dignified scientific leadership that has brought the U.S. National Arboretum to its preeminent position of national and international influence.

J. Grady Smith, C&MS; Oklahoma City, Okla. For sustained excellence in the inspection of meat and meat processing operations contributing to the wholesomeness of the Nation's meat supply and for valuable contributions to the safety and welfare of food inspection personnel.

Russell L. Steere, ARS; Beltsville, Md. For conceiving a radically new technique for preparing biological specimens for electron microscopy, and for exceptional ingenuity in developing and perfecting sophisticated but inexpensive equipment for its use in biomedical research.

Raymon E. Webb, ARS; Beltsville, Md. For unique and effective contributions to vegetable research and for superior leadership to Federal, State, and industry groups in vegetable variety improvement and biological pest control.

Louie B. Whitaker, FS; Pineville, La. For significant contributions to research advancements in cattle range management and resource-use coordination on pine forest lands of the South.

ACHIEVEMENT BY SUPPORT PERSONNEL

Beverly J. Ayers, FS; Missoula, Mont. For dedicated, imaginative, and efficient handling of audiovisual library work with resultant savings and outstanding service to users.

Clarence W. Brooks, SEC; Washington, D.C. For continued meritorious performance of duties as chauffeur to three Under Secretaries of Agriculture.

Edward C. Cornick, FAS; Washington, D.C. For diligent, cheerful, and highly effective handling of internal and public requests for information assistance, thus setting an outstanding example to other employees and enhancing the Department's public image.

Mildred J. Griffin, SCS; Ames, Iowa. For sustained excellence of work performance contributing to the progress of the accelerated national cooperative soil survey program in Iowa.

Lillian R. Perry, C&MS; South St. Paul, Minn. For demonstrating exceptional initiative, resourcefulness, and overall proficiency in providing clerical and administrative support in the important nationwide programs affecting the marketing of livestock and the quality grading of the Nation's meat supply.

Dorothy J. Peterson, C&MS; Denver, Colo. For clerical excellence and expertise in obtaining and relaying volume and price information on grain marketing in the Denver area, and effective contribution to the market news reliability and prestige in an important market area.

Zella B. Speer, FHA; Oklahoma City, Okla. For distinctive performance of assigned duties contributing materially to the efficiency in the office which resulted in providing loan assistance to a large number of rural families in Oklahoma County.

Bernard N. Thompson, SEC; Washington, D.C. For exceptional service as executive aide to the Secretary of Agriculture in performing regular and special duties in an outstanding manner.

Ida H. Thornton, C&MS; Dallas, Tex. For exceptional resourcefulness in developing informational material to effectively reach low-income families, ethnic groups and senior citizens with facts essential to the effective use of Federal food assistance programs.

Phyllis E. Weaver, FNS; Washington, D.C. For sustained superior performance of secretarial duties, outstanding ability and initiative, and high level of work productivity.

HEROIC ACTION

Donald L. Hanson, FS; Colorado Springs, Colo. and Thomas G. Petersen, FS; Colorado Springs, Colo. For exemplary alertness, courageous action, and unhesitating response in saving the life of a panic-stricken, burning motorist and preventing extensive losses in property and resource values within the Pike National Forest.

GROUP ACHIEVEMENT

Amherst-Nelson Work Unit, SCS; Amherst, Va. For dynamic initiative and leadership to Government agencies and people in Amherst-Nelson Counties following the floods in August 1969, reflecting meritorious credit to SCS, USDA, and themselves.

Communist Areas Analysis Group, ERS; Washington, D.C. For sustained outstanding performance in the research, analysis, and interpretation of agricultural programs in the Communist countries of the world; and for the exceptional service rendered in making this information available to U.S. policymakers, farm groups, farmers, traders, and academic institutions.

Hancock County Office, FHA; Bay St. Louis, Miss. For meritorious contributions to the relief of victims among rural people of Hancock County during the aftermath of hurricane "Camille" under extremely adverse conditions.

PPBS Task Force for Market Development, FAS; Washington, D.C. For unusual initiative and effectiveness in developing, organizing, and planning a far-reaching and imaginative 5-year promotional program for expanding sales of agricultural products overseas.

WILLIAM A. JUMP MEMORIAL AWARD FOR 1970

Anthony W. Hudson, Director of Personnel, Bureau of Management Services, Personnel Division, Civil Service Commission. For outstanding contributions to the employment, training, utilization, development, and understanding of disadvantaged persons and lower level Federal employees.

Alfred M. Zuck, Director, Office of Evaluation, Manpower Administration, Department of Labor. For exceptional administrative and executive ability in the field of manpower administration including the evaluation and review of program designs, manpower policies, and legislative proposals.

The William A. Jump Memorial Award is presented annually to Federal employees under the age of 37 in recognition of outstanding service in the field of public administration. The Award is given in memory of William A. Jump who for many years was the distinguished Budget and Finance Officer of the Department of Agriculture.

The 1970 Award Committee: James E. Johnson, Vice Chairman, U.S. Civil Service Commission, Chairman; Joseph Young, Staff Writer of the "Federal Spotlight" Column for the Evening Star; Larry Jobe, Assistant Secretary for Administration, Department of Commerce; Mrs. Esther Lawton, Assistant to the Director of Personnel, Treasury Department; and Edward Hicks, Jr., Director of Personnel, Office of the Secretary, Department of Health, Education, and Welfare.

USDA WINNERS OF MAJOR NON-USDA AWARDS 1969-70

B. Jean Apgar, Research Chemist, Agricultural Research Service, Ithaca, N.Y. Winner of the 1970 Federal Woman's Award sponsored by the Civil Service Commission and Woodward and Lothrop to recognize women who have made outstanding contributions to the efficiency and quality of the career service of the Federal Government.

Ned D. Bayley, USDA's Director of Science and Education, Office of the Secretary. Selected by the National Civil Service League to receive the 1970 Career Service Award.

This award annually honors 10 top career employees whose contributions to the public service have been significant.

Jay Justin Basch, Research Chemist, Agricultural Research Service, Wyndmoor, Pa. One of the 10 most Outstanding Handicapped Federal Employees of 1969 given honorary recognition by the Civil Service Commission for significant achievements in spite of severely limiting physical handicaps.

Carl B. Barnes, USDA's Director of Personnel. Winner of the 1969 Warner W. Stockberger Award sponsored by the Society for Personnel Administration to honor a person in public or private life who has made an outstanding contribution toward the improvement of public personnel management.

Steve A. Eberhart, Research Geneticist, Agricultural Research Service, Ames, Iowa. Selected by the Downtown Jaycees as one of the 10 outstanding young men in the Federal service to win the 1970 Arthur S. Flemming Award for meritorious work for the Federal Government.

Thomas P. Quigley, Reports Management Officer, Agricultural Research Service, Hyattsville, Md. One of six winners of the 1969 Paperwork Management Award sponsored by the Association of Records Executives and Administrators to recognize the significant accomplishments of Government managers who have successfully developed programs to reduce Federal Government paperwork costs.

WILL HARVARD HELP?

Mr. METCALF. Mr. President, too much national policy has been made, for too many years, in corporation board rooms rather than by Government officials. Therefore, I commend the persons and institutions who are a part of Campaign GM. They, today, are attempting to awaken corporate management.

Corporation advertising and public relations programs will not solve the problems facing this country. Such palliatives compound the problems, because they create false illusions. Restructuring and democratization of corporate government itself is overdue.

The universities which hold large blocks of common stock are in an excellent position to provide some leadership in this matter. Some of them have not been anxious to help in Project GM. I hope that before next year's round of stockholder meetings universities with such stockholdings will lead the way toward corporate change, rather than having to be led to the issue itself by students and recent graduates.

Mr. President, as an example of what could be done, I offer Harvard and the utilities.

The general investments of Harvard College, last June 30, totaled more than \$869 million. This included \$379 million in common stock. The \$379 million common stock portfolio included \$108.7 million in electric utilities, \$13.7 million in gas utilities, and \$12.5 million in telephone utilities.

The largest utility holding was 544,194 shares of Middle South Utilities. This compares with Harvard's holding of 287,149 shares of General Motors stock. This does not include the holdings in Middle South of the Harvard-Yenching Institute or of State Street Investment Corp., which handles investments for

Harvard. Altogether Harvard owns about a million shares of Middle South stock. But the Harvard College holdings alone are sufficient to make the college the largest, if a minor, stockholder in Middle South, which is a New York utility holding company whose subsidiaries are Arkansas Power & Light, Louisiana Power & Light, Mississippi Power & Light, and New Orleans Public Service.

I wonder how many students and faculty members in Cambridge are aware of the extent to which Harvard has been used by Middle South Utilities, to the detriment of utility consumers in the Deep South. During the sixties, Middle South went to the Securities and Exchange Commission to seek approval of a stock option plan for its key executives. The case for the stock option plan was made to the SEC by none other than George F. Bennett, the treasurer of Harvard College, president of State Street Investment Corp., deputy director of Harvard-Yenching, and a director of Middle South as well.

Bennett argued that the president of Middle South, who at that time received a salary of \$95,000 a year, would "do everything he is doing in a more extraordinary way—scan the operating expenses more carefully—sharpen his pencil a little sharper on construction programs—make his people who are negotiating with labor a little tougher," and be certain his company was enjoying a "full return"—if only SEC would approve those options.

The SEC staff opposed the stock option plan. The staff contended that it would adversely affect ordinary stockholders and utility customers and that the company was in no way suffering from its inability to issue options.

The SEC overruled its staff. The SEC approved the stock option plan desired by Harvard and Middle South. And in the pro forma stockholder proxy vote which followed SEC action, Harvard cast its votes with Middle South management, in favor of the stock option plan. The Middle South president, with his \$127,033 salary and his \$43,981 retirement benefits, ought to be able to keep his pencil sharp, his earnings up, and his labor negotiators tough without options for himself and other utility insiders.

The then dean of Harvard's law school, Erwin N. Griswold, who is now Solicitor General, had been one of the most articulate opponents of stock option plans, especially for utility corporations. I recall the testimony Dean Griswold gave to the House Ways and Means Committee when I was a member of that body. Those who are interested in reading his testimony on the inequity of options will find it in the Ways and Means Committee hearings for December 7, 1959. My point here is that Harvard put its influence and votes where its and Middle South's business agent said to put it, despite substantial testimony against stock options from one of its most distinguished scholars.

Mr. President, I believe that Harvard could redeem itself by using its voting power and scholarship to help make some long overdue changes in our regulatory systems. Enough things are wrong with these regulatory systems to engage

and challenge hundreds of collegians. I today cite but one example, and the part which one college played.

Mr. President, I ask unanimous consent to have printed in the RECORD the utility common stock holdings of Harvard College as of June 30, 1969.

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

GENERAL INVESTMENTS—COMMON STOCKS		
Utilities	Shares	Market value
ELECTRIC		
American Electric Power Co., Inc.	75,775	\$2,519,518
Arkansas-Missouri Power Co.	50,000	631,250
Boston Edison Co.	34,488	1,332,099
Carolina Power & Light Co.	88,338	2,981,407
Central Louisiana Electric Co., Inc.	151,320	3,347,955
Cincinnati Gas & Elect Co.	116,228	3,007,399
Columbus & Southern Ohio Electric Co.	23,773	849,884
Commonwealth Edison Co.	63,629	2,759,907
Consumers Power Co.	159,609	6,045,190
Detroit Edison Co.	32,400	781,650
Florida Power Corp.	137,768	6,457,875
Florida Power & Light Co.	105,184	6,889,552
General Public Utilities Corp.	117,370	3,139,647
Houston Lighting & Power Co.	40,807	1,550,666
Idaho Power Co.	70,400	2,112,000
Illinois Power Co.	109,262	3,824,170
Indianapolis Power & Light Co.	68,189	1,815,532
Kansas Gas & Electric Co.	60,065	1,486,608
Kansas Power & Light Co.	100,270	2,055,535
Middle South Utilities, Inc.	544,194	12,516,462
Missouri Public Service Co.	5,931,929	1,312,439
New England Electric System.	161,182	4,130,237
New England Gas & Electric Association.	65,701	1,346,870
Niagara Mohawk Power Corp.	264,266	4,921,954
Ohio Edison Co.	91,300	2,328,150
Oklahoma Gas & Electric Co.	118,876	2,555,834
Public Service Co. of Indiana, Inc.	122,004	4,758,156
South Carolina Electric & Gas Co.	118,896	3,626,328
Southern California Edison Co.	127,463	4,493,070
Texas Utilities Co.	18,547	978,354
Union Electric Co.	260,326	5,206,520
Virginia Electric & Power Co.	35,757	960,969
Wisconsin Electric Power Co.	252,015	5,953,854
Total		108,677,049
GAS		
Consolidated Natural Gas Co.	27,900	798,637
Equitable Gas Co.	23,401	836,585
Indiana Gas Co.	73,253	1,794,698
Mississippi River Corp.	81,080	1,652,005
Mountain Fuel Supply Co.	42,504	1,269,807
Peoples Gas Co.	144,673	4,882,713
Southern Union Gas Co.	28,442	867,481
Washington Gas Light Co.	58,000	1,624,000
Total		13,725,928
TELEPHONE		
American Tel. & Tel. Co.	220,797	11,978,237
Communications Satellite Corp.	10,010	510,510
Total		12,488,747

PRESIDENT'S MESSAGE ON PUBLIC SCHOOL DESEGREGATION—EMERGENCY SCHOOL AID ACT OF 1970

Mr. JAVITS. Mr. President, I was heartened and gratified by the will for massive and affirmative action to facilitate public school desegregation demonstrated by the President in his historic message to the Congress yesterday. I believe he bespeaks the feeling of millions of Americans concerned with fulfilling the promise of the 1954 Supreme Court decision on public school desegregation.

Also I believe that the President's expressed desire for early enactment of meaningful legislation is shared by a

majority of the Members of the Congress from both parties, and am therefore hopeful that legislation along the lines of the President's objectives will receive the bipartisan support needed to assure timely consideration and enactment of the measures proposed.

However, while very much sharing the President's objectives, I do have some serious reservations concerning provisions in the administration's bill itself. As ranking Republican member of the Senate committee which would consider the bill—and as a longtime and active proponent of civil rights legislation—I shall do my best to perfect the bill introduced on behalf of the administration.

My intentions are to work with colleagues from both parties to modify the administration's bill in a number of respects so as to eliminate these areas of concern, so that the objectives so eloquently stated by the President in his message might be achieved through the timely enactment of effective legislation. This timely consideration is most important, for as the President pointed out in his message:

In the life of the desegregation process, the fall of 1970 has special significance and presents extraordinary problems, inasmuch as all of the school districts which have not yet desegregated must do so by then.

Particular points of concern to me in the administration's proposal are:

The section concerned with the transportation of pupils is subject to serious misunderstanding. The section implies that the achievement of racial balance does not, in itself, serve an educational purpose. Educational experts who have testified before Senate committees, including Dr. James Coleman, a consultant to the administration in the drafting of its bill, have taken the position that racial segregation is a prime cause for much educational inadequacy and that racial integration does itself provide educational benefits for both white and black children.

Voluntary plans for the elimination of de facto segregation almost without exception require the transportation of schoolchildren in order to achieve their objectives; this transportation is often the most costly part of an effective program. While the Congress has reiterated in a number of statutes the proposition that Federal education aid programs should not "require" or "force" transportation of schoolchildren in order to achieve racial balance, so it is equally undesirable to prohibit Federal assistance for such transportation—even including that which is ongoing now. The consequence of the provision in the administration bill could be to negate the second category of aid which the President most laudably identified in his message—"aid to districts that wish to undertake voluntary efforts to reduce or prevent de facto racial isolation."

I am also concerned about the absence of sufficient incentives for large school districts to develop desegregation plans. Districts containing either 10,000 minority group children or 50-percent minority group children can qualify for assistance for "interracial educational programs"

which falls short of achieving desegregation, without being required to demonstrate that there are no practicable desegregation plans which would qualify for assistance. The bill should more effectively encourage effort in these districts to achieve practicable desegregation.

The Congress, partially in response to administration urging, included in the comprehensive education bill signed into law by the President last month, Public Law 91-230, a number of provisions enhancing parental and public participation in decisions on education. The bill should include such a provision; for example, an earlier draft of the administration bill did include provision for an advisory committee, a proposal which, I believe, has merit.

The formula for distribution of funds to the States is inadequate to the need and requires revision in a number of respects, particularly with regard to so-called double counting.

What I have said should not be construed as disagreement with the President's objectives on public school desegregation and with his historic message. However, I feel a deep responsibility as to the means of achieving these objectives; and hope to be able to work them out with the administration and the majority in Congress.

CONCLUSION OF MORNING BUSINESS

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

The PRESIDING OFFICER (Mr. ALLEN). Is there further morning business? If not, morning business is concluded.

AMENDMENT OF THE FOREIGN MILITARY SALES ACT

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

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (H.R. 15628) to amend the Foreign Military Sales Act.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate resumed the consideration of the bill.

Mr. DOMINICK obtained the floor.

Mr. GRIFFIN. Mr. President, will the distinguished Senator from Colorado yield?

Mr. DOMINICK. I yield.

Mr. GRIFFIN. Mr. President, in view of the fact that a sufficient number of Senators are in the Chamber at the present time, I should like to ask for the yeas and nays on the pending amendment to the committee amendment.

The PRESIDING OFFICER (Mr. ALLEN). Does the Senator from Colorado yield for that purpose?

Mr. DOMINICK. I yield.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I yield.

Mr. WILLIAMS of Delaware. Is there a possibility that the amendment could be brought to a vote this afternoon? Some of us would like to go ahead and dispose of it.

Mr. GRIFFIN. I am sure that we will have a response from the other side. However, I have done some checking on behalf of Senators who have spoken to me, and I would say that there is a general disposition, as I sense it, to proceed to a vote on the pending amendment to the committee amendment. Whether it would be possible to vote this afternoon, I still have no way of knowing. I would have to check further, but I think that is a possibility.

I wonder if we may have some indication from the other side of the aisle whether there is a likelihood that we may vote on the amendment to the committee this afternoon.

Mr. BYRD of West Virginia. Mr. President, speaking for the leadership on our side of the aisle, I would have to say that we would not want to reach a vote this afternoon. A large number of Senators on this side of the aisle are not here today. A good number on the able Republican whip's side of the aisle are not here. Some of our Members have been told that there was little likelihood, if any, of a vote today.

I think I would have to protect those promises, and so, on that basis, I must say I would have to do everything within the rules of parliamentary procedure to prevent a vote from taking place this afternoon.

Mr. GRIFFIN. I think that answers the question of the Senator from Delaware.

Mr. AIKEN. Mr. President, may I ask, even if a great majority of the Members of the Senate are not willing to vote this afternoon, is it not possible to fix a time to vote on Monday, or Tuesday at the latest?

Mr. CHURCH. I see no objection to that. I would want to accommodate the desire to come to a vote. I hope we can work that out together.

Mr. GRIFFIN. We will take some further steps to see if that is a possibility.

Mr. CHURCH. I think that would be a very fair thing to do.

Mr. BYRD of West Virginia. I share the view of the distinguished Senator from Idaho that that would be a distinct possibility, and that every effort should be made toward that end.

THE WAR AND THE CONSTITUTION

Mr. DOMINICK. Mr. President, there are a number of constitutional issues which have been raised in the course of this debate which deserve and require serious consideration. In order to put some of them in perspective, I would like briefly to address myself to a few of the more relevant points which have been raised.

First, let me say that I have been completely astonished at the fact that not one of the so-called protesters who have been sounding off in Congress and elsewhere about U.S. actions in Southeast Asia have made so much as a single outcry of protest over the 40,000 Communist troops in Cambodia threatening the cap-

ital city of that country and attacking and killing Cambodians.

Not a single individual protester that I can recall said one single word about the long-continued Communist violations of Cambodia's neutrality nor their invasions of Laos and Thailand.

They have seemed to pay not the slightest attention to President Nixon's explanation that he was taking the action he did against North Vietnamese bases in Cambodia to protect his plan to withdraw American combat troops from South Vietnam.

The President's action was not taken precipitously, as can be seen from a review of the many diplomatic moves that preceded it.

I should add here that I have not heard much comment about this from the protesters of the Cambodian action.

Here is the chronology—perhaps I should add by the State Department—of Cambodian developments in connection with diplomatic action.

In August 1969, Mr. Sihanouk installed Lon Nol as Prime Minister, with a mandate to deal with pressing economic problems.

In December 1969, Sihanouk wrote in Sangkum magazine of the danger of associating too closely with Communists: "The bird always gets swallowed." On various occasions since 1965, he had complained of the Vietcong presence in Cambodia.

And I might say in connection with that that I have firsthand knowledge of this because in May of 1967, after I had been in Vietnam and came back, I referred to the Cambodian sanctuaries which the North Vietnamese were occupying.

Mr. Sihanouk then made several unkind comments about my remarks. But he once again urged that the North Vietnamese get out of Cambodia.

On January 6, 1970, Sihanouk departed for France, leaving Cheng Heng as Acting Chief of State, after a setback in his attack on the Lon Nol Government in the National Assembly, and apparently also to avoid a scheduled visit by North Vietnamese Premier Pham Van Dong.

In early March 1970, anti-Vietnamese Communist demonstrations in Phnom Penh lead to sacking of North Vietnamese and Vietcong Embassies by the Cambodians.

On March 13, 1970, Sihanouk left Paris for Moscow and Peking, avowedly to seek Soviet and Chinese assistance in persuading the Vietnamese Communist to leave Cambodian territory.

This is exactly what he himself announced.

On March 16, 1970, the Lon Nol Government began negotiations with the Vietnamese Communists in Phnom Penh, concerning the Vietcong presence in Cambodia.

On March 18, 1970, the Cambodian National Assembly by unanimous vote declares Prince Sihanouk no longer Chief of State. Cheng Heng, president of the Assembly, stays on as Acting Chief of State. Lon Nol continues as Prime Minister.

I think it is important to note that this was a unanimous vote.

Sihanouk arrived in Peking and de-

nounced the National Assembly action as an illegal coup d'etat.

He did this even though ostensibly this was done under their constitution and their own system of government.

On March 3, 1970, Sihanouk issued first of a series of messages calling for overthrow of the Lon Nol government.

On March 25, 1970, the Cambodian Ministry of Foreign Affairs notifies the Vietnamese Communist representatives of the Cambodian Government's desire to resume negotiations. The Communists reject the invitation and announce withdrawal of all but caretaker staffs from their embassies.

On March 31, 1970, Cambodian Government—headed by Lon Nol—informed the U.N. that it had asked the United Kingdom and the U.S.S.R. to reconvene the International Control Commission to protect Cambodian neutrality. The U.S.S.R. had refused to act. Informal Cambodian soundings at the U.N. indicated that there was little hope of getting Security Council action.

On April 3, 1970, the Vietnamese Communists began attacks against Cambodian forces in Svay Rieng Province, later expanded to other Cambodian posts in eastern Cambodia.

During March and April 1970, Sihanouk sent a series of messages to Communist regimes thanking them for their support.

April 14, 1970, the Cambodian Government issued the first of a series of appeals for foreign arms assistance.

It will be recalled that his first request was for 200,000 people to come in fully armed and equipped to help him against the Communists. Later he raised that number to 400,000, which was impossible, to equip, train, or to get into the area. The President of the United States has said that he has no intention of giving massive military support of that nature.

On April 18, 1970, the Vietnamese forces captured Saang, 18 miles south of Phnom Penh, which was later recaptured by Cambodian troops.

On April 25, 1970, Sihanouk signed a joint communique with Vietnamese Communist and Pathet Lao leaders, pledging unity and reciprocal support, and rejecting international proposals for a conference on Cambodia or Indochina.

On April 28, the Chinese Communists declared their "powerful backing" for the communique. I think we can see a lot of activity outlined here, not counting individual activities by other countries, designed to try to solve the Cambodian situation by diplomacy and agreement.

The North Vietnamese, or the Red Chinese and the Soviets blocked each of the moves and left the Cambodians to the merciless attacks of the Vietcong and North Vietnamese, at best involving the greatly expanded base areas for attacks on South Vietnamese, and at worst, the takeover of all Cambodia. When confronted with these attacks, the protesters fall back on the claim that the United States is engaged in a constitutionally unauthorized war in Vietnam because Congress has not formally declared war. Hence, the argument goes that since we are there unconstitutionally we should

not be in the other areas of Southeast Asia.

Let us discuss this issue. Clearly the Constitution provides that only Congress has the power to declare war, but is a formal declaration of war by Congress the only means by which the United States can constitutionally engage in armed hostilities?

The facts surrounding our commitment of military personnel to armed combat in South Vietnam are too well known to require extended recitation. American military advisers were introduced by President Eisenhower and their number increased significantly by President Kennedy. Five years ago, President Johnson increased the commitment by dispatching division-sized units, and by the time President Nixon took office, over half a million American soldiers and marines were in Vietnam.

I am tempted to conclude that the legal principle of equitable estoppel precludes raising at this late date the question of the legality of this chain of events which extends over a nearly 20-year period, but the question is a valid and serious one, and I believe it deserves an honest and serious answer.

As we all know, the Constitution of the United States has served us faithfully for nearly two centuries because it is flexible enough to meet the changing requirements of a changing world. New problems, for example, have brought forth new views as to the role and power of Congress in meeting pressing domestic needs, the absence of explicit constitutional authorization notwithstanding. One can safely conclude that the framers of our Constitution would not recognize the commerce clause, so elastic has it become in the past 40 years. In fact, some of us today can hardly recognize it when a colleague suggests that one can find in that clause authorization for Congress to attempt to regulate the size of American families.

One hundred and eighty years ago, it was not unreasonable for the men gathered in Philadelphia to draft a new charter of government to conclude that the power to commit a nation of free men to war ought not be lodged in a single man. America was safely removed from the turmoils of Europe. At that time we did not have aircraft, submarines, or missiles. The experience of recent history suggested that wars—particularly those on the European Continent—were often fought for the personal benefit of kings at the expense of their people. We had no desire for a king, and no need for investing any man with kingly powers. Congress, it was decided, was the logical and safe repository for the power to declare war.

Wars at this time were rather formal affairs. Declarations were issued, troops were fitted out in ornate uniforms, battlefield formations were as stylized as a modern dance. One prepared for a war much as one prepared for an appearance at court.

Under such circumstances, a formal declaration of war was appropriate. But how appropriate is it today? Former President Johnson noted recently that one reason he did not ask Congress for a

declaration of war against North Vietnam was that he did not know what secret treaties might have existed between Hanoi and Moscow or Peking. A formal declaration of war might very well have triggered the active belligerency of those Communist giants under the provisions of a treaty of which we were not aware. I might say that I presume this same situation still remains in effect.

Of course, there may not be any such treaties among the Communist powers and Hanoi. But, like Mr. Johnson, we do not know, and risks should be limited to what circumstances require, not enlarged to meet a constitutional formalism.

I do not suggest that the "war-declaring" power of the Congress—as opposed to the formal declaration of war—is a constitutional formalism. What I do suggest is that there are perfectly satisfactory constitutional means for Congress to exercise its war-declaring power short of the adoption of a formal declaration.

America's first war was a naval war with France which took place during the years 1798-1801. This was war in fact and in law. American warships and privateers engaged in armed hostilities on the open seas against the French Navy and merchantmen. Congress did not adopt a declaration of war against France, rather it adopted a series of enabling acts authorizing the President to take appropriate naval action against the French in reprisal for their interference with American shipping.

The Supreme Court held that this undeclared war was properly authorized under the Constitution and constituted a state of "imperfect"—or what we would call—"limited" war. Mr. Justice Washington, speaking for a unanimous Court, declared "that every contention by force between two nations, in external matters, under the authority of their respective governments, is not only war, but public war." A formal declaration was not required to clothe this limited war with constitutionality.

In 1802, Congress authorized President Jefferson to conduct limited war against the Bey of Tripoli, and in 1815, it similarly authorized President Madison to conduct limited war against the Bey of Algiers. Frequently throughout the 19th century, Congress authorized war without resorting to the formality of a declaration.

What I am suggesting is that formalities should not be allowed to obscure the substance of Congress' power to declare—that is, authorize—war. Certainly if those who served in the first sessions of Congress could recognize the desirability of adapting the means of authorizing war to the purposes for which that war was being conducted, we should not—180 years later—become so obsessed with formalisms that we cannot distinguish the substance from the form. Is the will of Congress any less clear, or its purpose any less certain, if it chooses to authorize war, not by a formal declaration, but by adopting a Tonkin Gulf Resolution, or when it debated and adopted a series of appropriations measures specifically designed to provide

funds for the conduct of the war in Vietnam.

My only point is that Congress may authorize war without a formal declaration, and a war is not unconstitutional merely because it is not waged pursuant to a formal declaration.

I might interject another point which I think had not been considered very often. We are in South Vietnam at the request of the South Vietnamese Government. Exactly whom do we declare war against? The Vietcong? The North Vietnamese? If we declare war, do we have independent action? Would we have to get out immediately if the South Vietnamese asked us to get out? I think we would—and I think, as a matter of fact, we would probably be delighted to do so. There is a grave question as to whom we would declare war against if we came to such a formal declaration.

The focus of attention in the course of this debate has been on the power of the President as Commander in Chief to commit American forces to war without the approval of Congress. This is an issue on which the Constitution suggests one answer, and the precedents of nearly two centuries of experience suggest another.

The Constitution provides that Congress shall have the power to commit this Nation to war, whether by formal declaration or other suitable means. Yet, in spite of this clear delegation of power to Congress, history records that of the eight major wars we have waged since the adoption of the Constitution, only two may truly be said to be "congressional wars," or wars in which Congress took the initiative rather than being confronted with a *fait accompli*. Those were, of course, the War of 1812 and the Spanish American War.

The war with Mexico was declared by President Polk when he moved troops into territory claimed by Mexico, although Congress adopted a declaration of war after the battles of Palo Alto and Resaca de la Palma had been fought. President Wilson had unilaterally adopted such a posture of hostility toward Germany that war was inevitable by the time Congress got around to declaring it, and one might say that President Roosevelt's less than neutral conduct toward Germany and Japan might very well have confronted Congress with no choice but to declare war if the Japanese had not struck Pearl Harbor first.

In that case, we were already at war when Congress finally decided that it was going to declare war.

President Truman did not make any pretense of relying upon a congressional declaration of war for authority to commit American forces to combat in Korea, and President Lincoln did not bother to wait for congressional approval before establishing a blockade and calling upon the militia for the war against the Confederacy. And, of course, President Johnson did not ask for a declaration of war against North Vietnam.

What the historical record suggests is that Congress has rarely initiated war by declaration; it has mostly ratified wars underway or inevitable.

If, in fact, our major wars have been

largely Presidential wars, is there any reason to wonder that there have been so many instances in which Presidents have committed forces to combat in minor engagements without the authority of Congress? The record is clear: From the undeclared Semnole War in 1816 to the pursuit of Pancho Villa in 1916, from the dispatch of 5,000 troops to quell the Boxer rebellion in 1898, to the landing of 21,000 men in the Dominican Republic in 1965, Presidents have acted to protect Americans abroad without first seeking the approval of Congress.

The authority of the President to commit troops in limited conflict is not, of course, unquestioned. There are Presidents who have doubted such authority and Congress has challenged it more than once. President Truman's commitment of troops in Korea in response to a U.N. resolution without prior approval of, or subsequent ratification by, Congress led to the Great Debate of 1951.

President Truman had relied upon his authority as Commander in Chief and upon resolutions of the U.N. Security Council declaring that armed aggression existed in Korea and calling upon U.N. members to assist in halting that aggression. He cited the history of actions by the Commander in Chief to protect American interests abroad. He characterized the U.N. Charter as the cornerstone of our foreign relations and singled out article 39 which authorizes the Security Council to recommend action to members to meet armed aggression.

The President's opponents noted that all treaties are not self-executing and that, until implemented by Congress, non-self-executing treaties confer no new authority on the President. Article 39, it was said, was not self-executing. Article 43, which provides expressly for the commitment of troops by members in accordance with their constitutional processes, had been implemented to the extent of Congress authorizing troop agreements (59 Stat. 619) but since no agreements had been entered into it was inoperative, so went the argument. Without any added treaty authorization, the President's action must be viewed solely in terms of his basic constitutional authority, it was said, and this authority does not extend to long-term commitment of troops in numbers ranging up to 250,000.

While various scholarly views were quoted on both sides of the issue—House Report No. 127, 82d Congress, first session—and the congressional debate raged from January to April, there was no legal resolution to the President's authority in light to the U.N. Charter or independent of it.

Nevertheless it is clear that Congress acquiesced in the President's action. See Rees, "The Limited War" (1964); Pusey, "The Way We Go To War" (1969).

Since judicial precedents are virtually nonexistent on this point, the question is one which must of necessity be decided by historical practice. Viewed in this light, congressional acquiescence in President Truman's action furnishes strong evidence that this use of his power as Commander in Chief was a proper one. This is particularly true because, while

a treaty may override a State statute under the supremacy clause, *Missouri v. Holland*, 252 U.S. 416, it may not override a specific limitation on the power of the President or of Congress. *Reid v. Covert*, 351 U.S. 487.

There have always been those who challenged the authority of Presidents to take such actions. In recent weeks I have heard the testimony of Jefferson and Madison and Hamilton cited in condemnation of Executive usurpation. Indeed, I noted that the Foreign Relations Committee report accompanying Senate Concurrent Resolution 64 cited an annual message of James Buchanan. It is not often one hears President Buchanan quoted approvingly.

Also, these days, one does not hear too much about the Roosevelts, Theodore and Franklin, whose views on the Commander in Chief powers of the Presidency are no longer as popular as their views on social reform. And Woodrow Wilson and Harry Truman, whose strong actions in the realm of foreign affairs used to be cited with respect, are now relegated to the ranks of the usurpers. It appears that the only Presidents whose view of their powers under the Constitution are respected today are James Buchanan and Warren G. Harding, neither of which, in my opinion, were among our leading Presidents.

If history and precedent are—Buchanan and Harding excepted—relevant, it appears that there is a strong case to be made for the power of the President to commit American forces abroad without the explicit permission of Congress, although that commitment may lead to war.

I might say at this point that I personally do not like that idea, but I think the precedent is there.

This power is not unlimited, but it cannot be easily circumscribed. Just as there is a great deal more meaning in the commerce clause than a student of etymology would suspect, so too is there far more power encompassed in the Commander in Chief clause than many Members of Congress are prepared to admit.

It strikes me that it is appropriate to ask why the power of the President in the realm of foreign affairs has grown so great. Is it merely because Presidents are usurpers? Or is it because events have necessitated it?

President Wilson argued:

When foreign affairs play a prominent part in the politics and policy of a nation, its Executive must of necessity be its guide; must utter every initial judgment, take every first step of action, supply the information upon which it is to act, suggest and in large measure control its conduct.

Is this an overstatement? Do the conditions of the world allow us safely to conduct our foreign policy on the floor of Congress? Can we safely attempt to substitute our judgment for that of the President when only he can have all the facts and only he can promptly act? Would the world be a safer place if our foreign policy were conducted by congressional committee?

Mr. President, these are questions to which we all have to search for answers. We must search in our own hearts, to

determine whether or not this is the way we want to go.

Throughout our history, and certainly in this century, our Presidents have acted decisively and, for the most part, independently in response to evolving threats to the peace and security of the United States. It would be reckless, if not dishonest, to argue that they have done so without constitutional authorization or without good reason. We can have only one Commander in Chief at a time. The Constitution says he is the President, not the Senate, not the House of Representatives, not the fourth estate. A Commander in Chief has broad powers—powers which can be abused. But history teaches us that our Presidents have, almost without exception, been wise and prudent men. But, by their actions, they can commit us to war. That is a very real risk in our present system. But we should also remember that by their actions—prompt, decisive, informed—they can keep us out of war or out of a larger war, and that is a very real strength of our system.

To interject here for a moment, I had a telephone conversation the other day with a lawyer who is a very good friend of mine, who is not a politician, and who is a Democrat. His answer was that if we were under the parliamentary system, this body would then be able to have a vote of no confidence in what the President is going to do. If we had a vote of no confidence, and that were successful, then, under the English system, there would be new elections held immediately to determine what the temper of the country was.

But that is not what we do under our system. We do not have votes of no confidence. We elect a President of the United States to serve for a period of 4 years. We elect Members of the House of Representatives to serve for 2 years, and we elect the Members of the Senate to serve for six. We try to interrelate these bodies so as to achieve first, continuity, and second, responsibility, and then be able to determine how the execution of that responsibility is rated at the end of the term, not right in the middle of it.

The Constitution provides that the President shall be Commander in Chief of the Armed Forces. The courts have construed this clause to mean that once Congress has raised an army and navy, the President alone can deploy this force in the field. He, and he alone, determines movements, decides on tactics, controls strategy. The fleet sails and the army marches at his command, not at that of the Congress.

During the Civil War, Congress attempted to involve itself in the management of the war on the battlefield by means of a Joint Committee on the Conduct of the War. Lincoln refused to submit to this intrusion.

Congress cannot restrict the constitutional power of the Presidency in order to retaliate against the alleged usurpation of power by a President. The Constitution does not empower Congress to define the powers of the Presidency; it affords Congress no authority to add or detract from the powers bestowed by the

Constitution on the President of the United States. If Congress believes that a President has exceeded his powers, it must employ the remedies provided by the Constitution, amongst which is Congress' right to appropriate funds with limitations on their use.

That is the role which my substitute amendment suggests—the amendment which is now lying on each Senator's desk, but which has not yet been called up. But such limitation, by its very nature, must apply to future actions. There is, of course, a political remedy. The people are the final arbiters of the propriety of official conduct, and if a President exceeds his constitutional powers or abuses his responsibility to the people, he can be defeated at the polls.

My analysis of the remedies available to Congress and to the people in the event of Presidential abuse of power is based on historical precedent. President Andrew Johnson was accused of exceeding his authority. In retaliation, Congress attempted to limit his power to remove members of the Cabinet, but the Supreme Court refused to allow Congress to restrict the constitutional prerogatives of the Presidency. Having failed before the Court, the Congress attempted impeachment. Again it failed. Finally, it was successful in the political arena. Grant, a man more amenable to the opinions of Congress, was elected to succeed Johnson.

At a time such as this, when passions are aroused and tempers are short, we should remember the constitutional lesson of the Andrew Johnson Presidency. Congress is not the final judge of the constitutional powers of the President. It cannot restrict those powers however convinced it is that they are being abused. Political passions cannot be allowed to overwhelm constitutional logic. A war is not unconstitutional because it is unpopular, and a President is not a usurper because he declines to agree with a majority of the Senate.

Although U.S. concern with the security of Southeast Asia dates from our involvement there during World War II, it was formalized in the signing and ratification of the Southeast Asia Collective Defense Treaty—so-called SEATO. The area covered by the treaty includes not only the territory of the Asian signatories but also the States designated in the protocol which was signed and ratified at the same time as the treaty. These are Cambodia, Laos, and the free territory under the jurisdiction of the State of Vietnam. Pursuant to its treaty obligation, the United States for some years maintained military advisers in Vietnam and provided other military assistance to the Republic of Vietnam.

When U.S. naval forces in the Gulf of Tonkin were attacked in August 1964, the President took direct air action against the North Vietnamese. He also requested Congress "to join in affirming the national determination that all such attacks will be met" and asked for "a resolution expressing the support of the Congress for all necessary action to protect our Armed Forces and to assist nations covered by the SEATO treaty." (H. Doc. 333, 88th Cong., second sess., p. 3.) Note that the nations covered by the

SEATO treaty under the protocol included Cambodia, Laos, and the free territory under the jurisdiction of the State of Vietnam.

On August 10, 1964, Congress responded with a resolution which "approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression." (Public Law 88-408, 78 Stat. 334.) It was in connection with this resolution that Congress noted that whatever the limits of the President acting alone might be, whenever Congress and the President act together, "there can be no doubt" of the constitutional authority. (H. Rept. 1708, 8th Cong., second sess., p. 4.)

In the debates in the Senate on this resolution, it is clear that the Commander in Chief was supported in taking whatever steps were necessary in his judgment to protect American forces. The floor leader, the distinguished Senator from Arkansas (Mr. FULBRIGHT), noted on August 6, 1964, that the resolution "would authorize whatever the Commander in Chief feels is necessary." He observed:

In a broad sense, the joint resolution states that we approve of the action taken with regard to the attack on our own ships and that we also approve of our country's efforts to maintain the independence of South Vietnam.

When Senator COOPER inquired:

In other words we are now giving the President advance authority to take whatever action he may deem necessary respecting South Vietnam and its defense, or with respect to the defense of any other country included in the treaty?

Senator FULBRIGHT replied:

I think that is correct.

The Gulf of Tonkin resolution expresses broad support for the Commander in Chief and recognizes the need for broad latitude to respond to situations which may develop. Of particular concern to the Congress, as well as to the President, was the protection of American forces and the security of South Vietnam.

While the Gulf of Tonkin resolution was the first major congressional affirmation of the President's actions in responding to the situation in Southeast Asia, it is not the only such affirmation. When bombing of military targets in North Vietnam was undertaken in 1965, the President requested a supplemental appropriation for the military. In his message of May 4, 1965, he emphasized:

This is not a routine appropriation. For each Member of Congress who supports this request is also voting to persist in our effort to halt Communist aggression in South Vietnam. Each is saying that the Congress and the President stand united before the world in joint determination that the independence of South Vietnam shall be preserved and Communist attack will not succeed." (H. Doc. 157, 89th Cong., 1st sess.)

The requested resolution was adopted on May 7, 1965, Public Law 89-18, 79 Stat. 109.

Since that time, Congress has repeatedly adopted legislation recognizing the situation in Southeast Asia, providing

funds to carry on U.S. commitments and providing special benefits for troops stationed there. There is long-standing congressional recognition of the U.S. commitment in Southeast Asia.

Finally, I come to the question, Is the current military operation in Cambodia a constitutionally authorized exercise of Presidential power?

Virtually everyone, I think, agrees that if American forces are constitutionally engaged in armed combat within a prescribed theater of operations pursuant to an acceptable congressional authorization, the President may employ those forces as he sees fit, and his tactical decisions are not subject to review by Congress, even though we might not like them. In considering the current operation in Cambodia, we must, then, ask two questions: First, are American troops in South Vietnam pursuant to an acceptable congressional authorization; and second, does the Cambodian sanctuary area constitute a constitutionally permissible area of operations pursuant to the original authorization?

We can dismiss the first question rather quickly: The SEATO Treaty, the Tonkin Gulf resolution, the Vietnam military appropriations bills, and the other acts and resolutions relating to the existence of hostilities in Vietnam clothe the action with constitutionality.

The real question is: Assuming the legitimacy of our presence in South Vietnam, did the President have the authority to extend the theater of operations into another country?

There are several arguments in support of such authority. The case of the steamboat *Caroline* appears on point. It is a rather interesting case, Mr. President, because it is right hand to the question with which we are dealing here.

In December of 1837, a group of British subjects and American citizens organized a raiding party in New York State for the purpose of launching an attack upon Canada, a British province. They arranged for the hire of the steamboat *Caroline*, an American vessel, to transport men and supplies from Fort Schlosser, N.Y., to the invasion site in Canada. New York authorities, fully aware of the intentions of the party, made no efforts to stop the endeavor. In fact, the authorities allowed the raiders to "steal" arms and ammunition from the State storehouses in broad daylight by the simple expedient of leaving them unguarded.

The weapons and supplies were loaded aboard the *Caroline*. On the night of December 29, a British boarding party crossed into U.S. waters where the *Caroline* was anchored, seized her, and set her afire. One American citizen was killed in the skirmish.

The United States filed a formal protest with the British Government demanding reparations and an apology for the attack. The Queen's Government refused. Lord Palmerston, the Foreign Secretary, stated the British legal position in language which is singularly appropriate to the circumstances surrounding our Cambodian operation. Wrote Lord Palmerston:

The people of New York had begun to make war against her majesty's Canadian provinces. They had done so, apparently, with

the connivance of the authorities of the State. Not only the New York territory of Schlosser had lost its neutral character, and had become enemy's land, but other portions of the territory of that State had assumed the same condition. One or other of two things must be—either the government of New York, knowingly and intentionally, permitted the band of invaders to organize and equip themselves within the State, and to arm themselves for war, against British territory, out of the military stores of the State, or else the State government had lost its authority over the border district; and those districts were, for the moment, in open defiance of the power of the State government, as well as at war with the opposite British province.

In the first case, the British authorities in Canada had a right to retaliate war for war. In the second case, they were no longer bound to respect as neutral that portion of a territory which, by shaking off its obedience to a neutral government, had ceased to be neutral, and could certainly not be entitled to the privilege of protecting persons who were actively engaged in making war upon her majesty's territory.

Secretary of State Daniel Webster accepted the British position, and the United States dropped its demand for reparations. The *Caroline* incident has since become a decisive precedent for the position at international law that a state may protect itself and its citizens from the threat of imminent attack by a pre-emptive military action. William Edward Hall in his "A Treatise on International Law" sets forth the rule in this language:

If the safety of a state is gravely and immediately threatened either by occurrences in another state, or aggression prepared there, which the government of the latter is unable or professes itself to be unable, to prevent, or when there is an imminent certainty that such occurrences or aggression will take place if measures are not taken to forestall them, the circumstances may fairly be considered to be such as to place the right of self-preservation above the duty of respecting a freedom of action which must have become nominal, on the supposition that the state from which the danger comes is willing, if it can, to perform its international duties.

What were the facts surrounding the threat posed by the operations of North Vietnamese and Vietcong forces in Cambodia? First, they were present in violation of the avowed neutrality of Cambodia. I might interpolate here, as I said earlier in my speech, that there were diplomatic efforts made by both Sihanouk and Lon Nol to get the Vietcong and the North Vietnamese out of Cambodian territory—all totally ineffective. Second, they were engaged in launching attacks upon the territory of South Vietnam and upon the personnel of the armed forces of South Vietnam and the United States. Third, they posed a serious threat to the integrity of South Vietnam and the safety of American and Vietnamese military personnel. Fourth, the Government of Cambodia was unable to resist their movement and prevent their attacks across the border.

As a result of these facts, it is clear that under international law South Vietnam and the United States had the right to attack those portions of Cambodia occupied by North Vietnamese and Viet Cong forces and to destroy their illegal base of operations. At international law, this right attached without regard to

the attitude of the Cambodian Government. The attack would have been permissible even if the Cambodian Government had objected which it did not.

Just as the United States could not permit its territory to be used as a base of operations against British Canada, so too could Cambodia not permit its territory to be used as a base of operations against South Vietnam. And as the British had every right to enter into U.S. waters and destroy an American ship, so too did the United States and South Vietnam have every right to enter into Cambodia and destroy the Communist supply bases.

It might be argued that, although the United States had a right at international law to invade Cambodia and destroy the bases from which attacks were being launched against American forces, under our Constitution that right could be exercised only pursuant to an explicit authorization of Congress—that is, the right of retaliation at international law accrued to the United States, not to the President, and whether that right should be exercised was, under the Constitution, a question for Congress to decide.

This leads us back to further consideration of the Commander in Chief powers of the President. It would be agreed, I suspect, that the President, in the exercise of his Commander in Chief powers, would have the sole authority to decide which military operations within South Vietnam he regarded as appropriate in defense of American forces, that is, if he determined that an attack upon Communist forces in war zone C was necessary to save American lives, Congress would not presume to believe that he should seek its permission before he issued an order for the attack.

The question of the legality of the President's decision to attack Communist forces in the Cambodian sanctuaries arises because he ordered American forces across an internationally recognized frontier.

But what are the implications of that crossing? Is it a new war against a new enemy? Does it change the nature of the war, denote a new political objective, involve a new commitment? No, it does not. It is the same war against the same enemy in pursuance of the same political objectives.

American forces did not enter Cambodia either to oppose or to support the Cambodian Government. It entered to find and destroy the supply bases of the North Vietnamese—the enemy which we have been fighting for 5 years in South Vietnam. We incurred no new obligation by crossing the border. Neither the character of the war nor the identity of the enemy changed when we crossed from South Vietnam. It is the same war and the same enemy. I might add, even some of the same troops who have periodically used those bases as attack bases for incursions into South Vietnam.

What constitutional reason, Mr. President, should have prompted the President to seek from Congress permission for a tactical military operation which did not change the character of the war which we have been waging for 5 years, which did not involve new belligerents,

which did not encompass new commitments?

Mr. President, the hard constitutional fact is that the President had every power as Commander in Chief to make the decision to attack the sanctuaries in Cambodia. His action was in accordance with international law, it was in accordance with precedent going back to the earliest days of the Republic, it was in accordance with sound military judgment and prudent diplomatic risk.

I am not arguing that it is impossible to quarrel with the wisdom of the President's action. That is a question upon which men of good will can easily disagree. What I am arguing is that it is impossible to argue that his action was constitutionally unauthorized.

American forces were being attacked by an enemy which was illegally operating from sanctuaries in a purportedly neutral country. The presence of these sanctuaries presented a threat to the safety of American forces in South Vietnam, or so the President determined—and under the Constitution he is the sole judge of the military necessities of the battlefield. In accordance with the internationally recognized right of self-defense and in compliance with the authority bestowed by the Constitution upon him as Commander in Chief of our Armed Forces, he decided to reduce the threat to the safety of American personnel by attacking those sanctuaries.

There is, Mr. President, one point of constitutional law upon which all of us agree: That every citizen is constitutionally authorized to criticize the President.

The Presiding Officer (Mr. YOUNG of Ohio) has often done so. The Senator now speaking has often done so. It depends upon the circumstances. And I would hate to have anyone even imply that we could not do that. But I like to recall the wise words of Benjamin Disraeli:

It is much easier to be critical than to be correct.

Mr. President, no man in public life deliberately chooses to do the wrong thing. All of us are committed to the cause of peace, and no man has a stronger commitment than our present President, President Nixon.

Things are, I believe, going well in Vietnam. Over 115,000 Americans have come home from the war. Another 150,000 will come home in the next year. The Vietnamization program shows every sign of progressing according to the schedule laid down by the President.

The latest military reports, quoting from the Military Update of Cambodian Operations dated May 22, 1970, the following:

In this operation there have been over 7,400 enemy killed.

There have been over 1,700 taken prisoner.

There have been 10,253 individual weapons captured.

There have been 1,566 crew-served weapons captured.

There have been 13,020 rocket rounds captured.

There have been 21,304 mortar rounds captured.

There have been over 7 million rounds of small arms ammunition captured.

There have been over 2,000 land mines captured.

There have been over 5,600 bunkers destroyed.

There have been over 250 vehicles destroyed or captured.

These were being used not only to supply reserves but also, in fact, were being used, or would have been used, to continue war on American and South Vietnamese troops in South Vietnam. They were being used, in part, by the North Vietnamese and the Vietcong in attacking Cambodia.

This is very interesting. We do not hear anything about this.

Mr. President, the question of the legality of the U.S. position in Vietnam has been given searching study by the House of Delegates of the American Bar Association. I would like at this time to review for the record some of their findings.

By the Geneva Accords of 1954, the Commanders in Chief of the French forces of Indochina, on the one hand, and of the People's Army of Vietnam, on the other, established the 17th parallel as the military demarcation line between North and South Vietnam, with a demilitarized zone on each side of the line. They stipulated that the armed forces of each party were to respect the demilitarized zone and the territory of the other zone, and that neither zone was to be used "for the resumption of hostilities or to further an aggressive policy." The accords additionally provided for the creation of an International Commission, composed of India, chairman, Poland and Canada, to supervise the agreements.

In 1962 the International Commission reported, with approval, findings of its Legal Committee to the effect that—

There is evidence to show that arms, armed and unarmed personnel, munitions and other supplies have been sent from the Zone in the North to the Zone in the South with the objective of supporting, organizing and carrying out hostile activities, including armed attacks, directed against the Armed Forces and Administration of the Zone in the South, and that the People's Army of Vietnam has allowed the Zone in the North to be used for inciting, encouraging, and supporting hostile activities in the Zone in the South, aimed at the overthrow of the Administration in the South.

These are findings which are in clear violation of the 1954 agreement signed by North Vietnam.

I continue to read from the House of Delegates report:

The evidence further demonstrates that the aggression by North Vietnam against South Vietnam (the Republic of Vietnam) had been going on unabashedly since the signing of the Geneva Accords and that North Vietnam had consistently violated those accords from their inception. An official State Department report recites:

While negotiating an end to the Indochina War at Geneva in 1954, the Communists were making plans to take over all former French territory in Southeast Asia. When Viet-Nam was partitioned, thousands of carefully selected party members were ordered to remain in place in the South and keep

their secret apparatus intact to help promote Hanoi's cause. Arms and ammunition were stored away for future use.

It is important to bear in mind that neither the Republic of (South) Vietnam nor the United States is a party to the Geneva Accords, and that while the United States participated in the discussions leading up to the accords, it did not sign the final declaration. However, during the last plenary session of the Geneva Conference on July 21, 1954, Under Secretary of State Walter Bedell Smith, head of the United States delegation, said in an official statement that his Government "would view any renewal of the aggression in violation of the aforesaid agreements with grave concern and as seriously threatening international peace and security."

On September 8, 1954, just a few weeks after the Geneva Accords were executed, the Southeast Asia Collective Defense—SEATO—Treaty was signed. Parties to it were the United States, Great Britain, Australia, New Zealand, Thailand, Pakistan, and the Philippines. The U.S. Senate ratified the treaty on February 1, 1955, by a vote of 82 to 1. It took effect on February 19, 1955.

Paragraph 1 of article IV of the SEATO Treaty provides that each party thereto "recognizes that aggression by means of armed attack in the treaty area against any of the parties or against any State or territory which the parties, by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes." By a protocol to the treaty executed on the same day, the parties "unanimously designated for the purposes of article IV the free territory under the jurisdiction of the State of Vietnam."

The SEATO Treaty was made by the parties in a reiteration of "their faith in the purposes and principles set forth in the Charter of the United Nations," nothing in which, according to Article 52 thereof, "precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action." Article 53 of the charter provides:

No enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council.

These two articles are at the head of chapter VIII.

The preceding chapter VII deals with "Action With Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression." The first 12 articles—39 to 50, inclusive—of that chapter prescribe the measures to be taken by the Security Council to meet "any threat to the peace, breach of the peace or act of aggression." By the last article, 51, of that chapter, it is stipulated expressly:

Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

It was clearly with these provisions of articles 51 and 52 of the Charter of the United Nations in mind that, in article IV of the SEATO Treaty, each party thereto agreed that it would "act to meet the common danger" in the event of "aggression by means of armed attack anywhere in the treaty area"—Southeast Asia and Southwest Pacific. "Enforcement action" is clearly action to enforce decisions of the Security Council under articles 39 and 50 of chapter VII of the charter. Equally clearly, "enforcement action" does not include measures of "individual or collective self-defense." So that when article 53 of the charter provides that—

No enforcement action shall be taken under regional arrangements without the authorization of the Security Council.

It does not refer to such measures of "self-defense" as are contemplated under the SEATO Treaty, particularly in light of the explicit recital of article 51 of the charter that—

Nothing in the present charter shall impair the inherent right of individual or collective self-defense.

The "Final Declaration of the Geneva Conference," issued on July 21, 1954, the same day on which the Geneva Accords were signed, states:

The Conference recognizes that the essential purpose of the agreement relating to Vietnam is to settle military questions with a view to ending hostilities and that the military demarcation line is provisional and should not in any way be interpreted as constituting a political or territorial boundary.

It was by no means contemplated, however, that there was to be no ultimate partition of Vietnam. On the contrary, the very next article, 7, of the final declaration provided expressly that the political problems of "independence, unity, and territorial integrity" were to be determined by free elections, internationally supervised. That article reads that—

So far as Vietnam is concerned, the settlement of political problems, effected on the basis of respect for the principles of independence, unity and territorial integrity, shall permit the Vietnamese people to enjoy the fundamental freedoms, guaranteed by democratic institutions established as a result of free general elections by secret ballot . . . under the supervision of an international commission.

It will be recalled that by the protocol to the SEATO Treaty, South Vietnam—the free territory under the jurisdiction of the State of Vietnam—was promised protection as such under the treaty. Reference has since been made to South Vietnam as a "protocol state."

In addition to the reference in the contemporaneous protocol to the SEATO Treaty to—

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

The right of self-defense under article 51 of the Charter of the United Nations is expressed to be unimpaired "if an armed attack occurs against a Member of the United Nations," and it has been asserted by opponents of United States policy in Vietnam that this amounts to explicit denial of such a right in the event of attacks against nonmembers of the United Nations. A thesis that members of the United Nations are not permitted to participate in collective self-defense to repel aggression, on the ground that the aggrieved nation is not a member of the United Nations, can hardly be supported on its face, in reason, logic, or law. Would proponents of this doctrine suggest that members of the United Nations would have no right to assist Switzerland in self-defense against a foreign invader?

But the right of self-defense has always existed independently of the charter, and that right is recognized expressly in article 51. It is quite obvious that the charter merely confirms, as to members of the United Nations, the innate right of self-defense appertaining to both members and nonmembers. Article 51 expressly retains, unimpaired, the "inherent" right of both individual and collective self-defense, thus implicitly recognizing the independent existence of the right of members to come to the aid of nonmembers in collective self-defense against aggression, or attack "to maintain international peace and security," the very first purpose of the United Nations itself, as stated in the charter.

On August 7, 1964, the Congress adopted, by a vote of 88 to 2 in the Senate and 416 to 0 in the House, the joint Southeast Asia resolution, in which the preambular clauses recite that:

Naval units of the Communist regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels, lawfully present in international waters, and have thereby created a serious threat to international peace: these attacks are part of a deliberate and systematic campaign of aggression—

Against the South Vietnamese— and the nations joined with them in the collective defense of their freedom.

The resolution then states:

The Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression; that the United States regards as vital to its national interest and to world peace and the maintenance of international peace and security in Southeast Asia; and that consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

Keep in mind that protocol states include the territory of South Vietnam, Cambodia, and Laos, among others.

In an address delivered at Gettysburg, Pa., on April 4, 1959, President Eisenhower declared that his administration had reached "the inescapable conclusion that our own national interests demand some help from us in sustaining in Vietnam the morale and the military strength necessary to its continued existence in freedom." In a letter of December 14, 1961, to the President of the Republic of Vietnam, President Kennedy recalling that the Communist regime of North Vietnam had "violated the provisions of the Geneva Accords to which they bound themselves in 1954" and that "at that time, the United States, although not a party to the accords, declared that it 'would view any renewal of the aggression in violation of the agreements with grave concern and as seriously threatening international peace and security.'" assured him that "in accordance with that declaration, and in response to your request, we are prepared to help the Republic of Vietnam to preserve its independence."

In President Johnson's message of August 5, 1964, to Congress, reporting the Communist attacks on U.S. naval vessels in the international waters of the Gulf of Tonkin, he said:

The North Vietnamese regime has constantly sought to take over South Vietnam and Laos. This Communist regime has violated the Geneva accords for Vietnam. It has systematically conducted a campaign of subversion, which includes the direction, training, and supply of personnel and arms for the conduct of guerrilla warfare in South Vietnamese territory . . . Our military and economic assistance to South Vietnam and Laos in particular has the purpose of helping these countries to repel aggression and strengthen their independence. The threat to the free nations of southeast Asia has long been clear.

The Lawyers Committee on American Policy Toward Vietnam questions whether President Johnson's deployment of U.S. forces to Vietnam can "be squared with our Constitution for, contrary to widely held assumptions, the power to make and conduct foreign policy is not vested exclusively in the President, but is divided between him and Congress." In his message of August 5, 1964, to the Congress, President Johnson went on to say unequivocally:

As President of the United States I have concluded that I should now ask the Congress on its part, to join in affirming the national determination that all such attacks will be met, and that the United States will continue in its basic policy of assisting the free nations of the area to defend their freedom.

And the President forthrightly requested that Congress adopt "a resolution expressing the support of the Congress for all necessary action to protect our Armed Forces and to defend freedom and preserve peace in Southeast Asia in accordance with the obligations of the United States under the Southeast Asia Treaty."

Two days later, on August 7, in response to this message from the President, Congress adopted the resolution quoted above, and on August 10 the President signed it as Public Law 88-408.

Article 51 of the Charter of the United

Nations, which provides that "nothing in the present charter shall impair the inherent right of individual and collective, self-defense," requires that "measures taken by members in the exercise of this right of self-defense shall be immediately reported to the Security Council." That the Southeast Asia Collective Defense Treaty was made under and in accordance with the Charter of the United Nations, particularly article 51, is evidenced by the provision of paragraph 1 of article IV of the treaty—by which each party agreed to participate in defending acts of aggression in the treaty area—that "measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations."

On August 5, 1964, Adlai E. Stevenson, U.S. representative to the United Nations and the Security Council, advised the Council formally of two "deliberate armed attacks" by North Vietnamese torpedo boats against a naval unit of the United States on the high seas. He declared that "these wanton acts of violence and destruction" were simply part of "the sabotage of the international machinery established to keep the peace by the Geneva agreements—and the deliberate, systematic and flagrant violations of those agreements by two regimes which signed them and which by all tenets of decency, law and civilized practice are bound by their provisions," all of which, he said, "fit into the larger pattern of what has been going on in Southeast Asia for the past decade and a half."

Ambassador Stevenson assured the Security Council:

We are in Southeast Asia to help our friends preserve their own opportunity to be free of imported terror and alien assassination, managed by the North Viet-Nam Communists based in Hanoi and backed by the Chinese Communists from Peiping. He affirmed solemnly "that the deployments of additional U.S. forces to Southeast Asia are designed solely to deter further aggression."

On February 7, 1965, Ambassador Stevenson, by a letter to the President of the Security Council, informed that body of "attacks by the Vietcong, which operates under the military orders of North Vietnamese authorities in Hanoi." He said the attacks were part of an overall plan "to make war against the legitimate government of South Vietnam" in "violation of international law and the Geneva Accords of 1954." He stated also that, as required by paragraph 2 of article IV of the Southeast Asia Treaty, the United States and Vietnamese Governments had consulted immediately and had agreed that it had become "necessary to take prompt defensive action" to resist "this continuing aggression." He reported further that the "countermeasures are a justified measure of self-defense," and that he was "reporting the measures which we have taken in accordance with our public commitment to assist the Republic of Vietnam against aggression from the north."

Of particular interest at this point is the reiterated assertion by the Lawyers Committee on American Policy Toward Vietnam, phrased variously throughout its submission, that—

Only the Security Council . . . is authorized to determine the existence of any . . . act of aggression and . . . the measures to be taken to maintain or restore international peace.

To the statements quoted above, which were made by Ambassador Stevenson in his letter of February 7, 1965, he added significantly:

We deeply regret that the Hanoi regime, in its statement of August 8, 1964, which was circulated in Security Council Document S-5888, explicitly denied the right of the Security Council to examine this problem.

WHO DENIED IT? HANOI DID; NOT SOUTH VIETNAM

Less than 3 weeks later, in another letter to the President of the Security Council, Ambassador Stevenson transmitted to that body an extensive State Department report entitled "Aggression from the North: The Record of North Vietnam's Campaign To Conquer South Vietnam," the facts recited in which, Ambassador Stevenson submitted, "make it unmistakably clear that the character of that conflict is an aggressive war of conquest waged against a neighbor—and make nonsense of the cynical allegation that this is simply an indigenous insurrection."

Innumerable other reports, both formal and informal, were made to the Security Council by the representatives of the United States at the United Nations; and there was even one by President Johnson on July 28, 1965, bespeaking the continued efforts of Secretary General U Thant to find a solution of the Vietnamese problem through the United Nations. In the last of these reports available as this article is written—two letters of January 31, 1966, from Ambassador Goldberg to the President of the Security Council—it is requested "that an urgent meeting of the Council be called promptly to consider the situation in Vietnam." A draft resolution, calling "for immediate discussions without preconditions among the appropriate interested governments looking toward the application of the Geneva Accords and the establishment of a durable peace in Southeast Asia," was transmitted with the second of these letters for consideration by the council. Ambassador Goldberg said:

We are firmly convinced that in light of its obligations under the Charter to maintain international peace and security . . . the Council should address itself urgently and positively to this situation and exert its most vigorous endeavors and its immense prestige to finding a prompt solution to it.

Despite all prior, and this formal urgent submission of the Vietnamese problem to the Security Council, it has never taken any action of any kind looking toward the restoration of international peace and security to Southeast Asia. Neither has the Council expressed the slightest criticism of any action taken by the United States in the SEATO area.

In its memorandum in opposition to the policy of the United States, the Lawyers Committee on American Policy Toward Vietnam asserts that—

The conduct of the United States Government in Vietnam appears plainly to violate the terms of the Geneva Accords.

While the United States is not a party to the accords, it did by contemporaneous unilateral declaration agree, in effect, to respect them. But, as demonstrated above, the Geneva accords since their inception have been violated continuously by the Hanoi regime. It is an accepted principle of international law that a material breach of a treaty by one of the parties thereto dissolves the obligations of the other parties at least to the extent of withholding compliance until the defaulting party purges its breach.

It has been suggested that because the power to declare war is vested by the Constitution in the Congress alone, the deployment of U.S. forces to Vietnam by the President, without a formal congressional declaration of war, violates the constitutional fiat. When the phrasing of this clause of the Constitution was being considered at the convention in 1787, its original form, vesting in Congress the power to "make" war, was changed to give it the power to "declare" war, "leaving the Executive the power to repel sudden attacks"—"he should be able to repel and not to commence war" and "to 'conduct' it which was an Executive function."

The President is, under section 2 of article II of the Constitution, the "Commander in Chief of the Army and Navy of the United States." Throughout the history of the United States, he has been deemed to have authority to deploy the country's military forces to trouble spots around the world, frequently in combat. The Department of State has a record of some 125 such instances.

In the last analysis, however, the exercise of the President's power as Commander in Chief in deploying forces of the United States to Southeast Asia for the defense of the Republic of Vietnam has had the repeated sanction of the Senate, as well as of the Congress as a whole, so that, although the situation now seems unquestionably to constitute war in its technical sense, a formal congressional verbal declaration of war as such could not conceivably be essential to clothe the President's conduct with constitutional validity. This congressional sanction has been evidence by overwhelming majorities in the Senate's approval of the SEATO Treaty, in the adoption of the joint congressional Southeast Asia resolution of August 10, 1964, and in the passage of the appropriations necessary to carry on the defensive actions undertaken by the Executive.

First, as to the treaty. In it—paragraph 1, article IV—each of the parties "recognizes that aggression by means of armed attack in the treaty area against" any of them or against the "free territory under the jurisdiction of the State of Vietnam"—protocol—"would endanger its own peace and safety."

The "treaty area," under article VIII, includes "the general area of the Southwest Pacific not north of 21 degrees 30 minutes north latitude." The United States has historically owned tremendously important and valuable strategic territorial interests in that area. Aside from its trusteeship over the Marianas—

except Guam—Marshall and Caroline Islands, the United States owns Guam, Wake, and the Samoan group. And yet the Lawyers Committee on American Policy Towards Vietnam has asserted that "SEATO is not a regional agency within the letter or spirit of the U.N. Charter," because "articles 51 and 53 envisaged regional systems which historically and geographically developed into a regional community not contemplating a regional system which fuses Southeast Asia with a country of the North American Continent"—"separated by oceans and thousands of miles from Southeast Asia."

In the cited paragraph of the treaty, the United States agreed that in the event of aggression in the treaty area it would "act to meet the common danger." In recommending ratification of the treaty to the Senate, its Foreign Relations Committee reported that—

The committee is not impervious to the risks which this treaty entails. It fully appreciates that the acceptance of these obligations commit the United States to a course of action over a vast expanse of the Pacific. Yet these risks are consistent with our own highest interest.

The Senate ratified the treaty on February 1, 1955, by a vote of 82 to 1.

In light of all of the foregoing, it seems difficult to find anything in the nature of an adequate foundation for the ipse dixit of the Lawyers Committee on American Policy Towards Vietnam that—

The "Southeast Asia Collective Defense Treaty"—connecting the United States with Southeast Asia, architected by Secretary of State Dulles, is a legalistic artificial formulation to circumvent the fundamental limitations placed by the United Nations Charter on unilateral actions by individual members.

Undoubtedly the clearest and most unequivocal congressional sanction of the President's deployment of U.S. forces for the defense of South Vietnam is contained in the joint Southeast Asia resolution of August 10, 1964, reciting expressly "that the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression," and that the United States is "prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom."

The Lawyers' Committee on American Policy Towards Viet Nam quotes a passage from an article in the Washington Daily News of June 4, 1965, by Richard Starnes, read into the CONGRESSIONAL RECORD by Senator Ernest Gruening of Alaska, which states that the joint resolution was "passed in the fever of indignation that followed" the Gulf of Tonkin attacks, and then, again as their own ipse dixit, assert that "there is no evidence that Congress thought or understood that it was declaring war."

This statement is simply incorrect. When the President sent his message to Congress on August 5, 1964, recommend-

ing passage of "a resolution expressing the support of Congress for all necessary action to protect our Armed Forces and to assist nations covered by the SEATO treaty," he stated explicitly that he "should now ask the Congress on its part, to join in affirming the national determination that all such attacks will be met, and that the United States will continue in its basic policy of assisting the free nations of the area to defend their freedom."

In the course of a colloquy on the floor of the Senate on August 6, 1964, between Senator JOHN SHERMAN COOPER of Kentucky and Senator J. WILLIAM FULBRIGHT of Arkansas, chairman of the Foreign Relations Committee which recommended passage of the resolution the following discussion—excerpts—took place:

Senator COOPER. Are we now (by this resolution) giving the President advance authority to take whatever action he may deem necessary respecting South Vietnam and its defense, or with respect to the defense of any other country included in the treaty?

Senator FULBRIGHT. I think that is correct.

Senator COOPER. Then, looking ahead, if the President decided that it was necessary to use such force as could lead us into war, we would give that authority by this resolution?

Senator FULBRIGHT. That is the way I would interpret it.

Senator Morse himself called the resolution "a predated declaration of war," which would, somewhat enigmatically, give "to the President what I honestly and sincerely believe is an unconstitutional power to make war without a declaration of war." The enigma in this puzzling concept seems to arise from the rather simple and logical hypothesis that the function of a legislative "declaration of war" is to authorize the Executive "to make war." Since, by Senator Morse's own statement, the resolution authorizes the President "to make war," it surely has the same legal effect as a congressional "declaration of war" in haec verba would have had.

Actually, while two or three members of the Senate expressed doubt as to whether the resolution was intended to go as far as it did, there was no real question about it. Senator Morse himself made extended speeches against it, repeatedly warning his colleagues as to its dire import, in such words as that it "does go beyond the inherent authority of the President to act in the self-defense of our country and does vest in him authority to proceed to carry out a campaign that amounts in fact to the waging of war."

In the course of a recent debate on the floor of the Senate on a bill for an appropriation in support of the military forces in Vietnam, Senator RICHARD B. RUSSELL, of Georgia, chairman of the Armed Services Committee, said:

I knew that the joint resolution conferred a vast grant of power upon the President. It is written in terms that are not capable of misinterpretation, and about which it is difficult to become confused . . . The language could not have been drawn more clearly. Personally, I would be ashamed to say that I did not realize what I was voting for when I voted for that joint resolution.

It is only one page in length. It is clear. It is explicit. It contains a very great grant of power.

During the hearings on that appropriation bill before the Senate Foreign Relations Committee on February 18, 1966, Senator Morse asked Secretary of State Rusk whether he thought that the vote on the Southeast Asia resolution "would have been the same if my colleagues in the Senate had contemplated that it might lead to 200,000 or 400,000 or 600,000 American troops in South Vietnam?" The Secretary replied:

I doubt very much that the vote would be substantially different.

In response to that, Senator Morse commented that there would be "a chance next week to find out. He said:

I intend to offer (a rescission resolution) as an amendment to the pending business in the Senate.

On March 1, Senator Morse offered his amendment to the military appropriation bill, to provide that—

The "joint resolution to promote the maintenance of international peace and security in Southeast Asia . . . is hereby repealed.

To avoid any question as to the effect and meaning of a vote on his amendment, Senator Morse himself declared that it "would be a vote to make clear to the President that those who vote for the amendment disapprove of the continuation of the exercise of the power he has been exercising under the Tonkin Bay resolution." Senator RUSSELL said:

The defeat of the proposal of the Senator from Oregon by the Members of the Senate . . . will leave the original joint resolution . . . unimpaired, in full strength and vigor, and with Congress, except for two Members of the Senate who voted against the 1964 resolution, solemnly and solidly behind the President in the steps that he has taken in Southeast Asia.

After full debate, Senator MANSFIELD of Montana, the distinguished majority leader, moved to table Senator Morse's amendment, and the motion was carried, 92 to 5. After some further discussion, Senator RUSSELL moved for passage of the appropriation bill, and his motion carried by a vote of 93 to 2.

One of the best means available to Congress, in my opinion, for the control of executive action is through the power of the purse—the ultimate necessity of congressional action for appropriations to provide funds to carry out executive functions. As stated by Senator Morse during the hearings on the military appropriation bill:

A vote on this pending piece of business in the Senate really is a vote as to whether or not we are going to continue to support this program, because the only check, one of the best checks we have, is to say we are not going to finance it.

As stated, the bill was passed in the Senate by a vote of 93 to 2. The vote in the House was 392 to 4.

The legal authority of the President of the United States to conduct the present war, for "the maintenance of international peace and security in Southeast Asia," which, as Congress declared in its 1964 resolution, "the United States re-

gards as vital to its national interest and to world peace," is surely sustained amply by the composite impact of that resolution, the terms of the SEATO Treaty ratified by the Senate and the appropriations made by the Congress to support the military actions in the treaty area.

That the memorandum of the Lawyers Committee on American Policy Toward Vietnam is grounded on an emotional attitude opposed to U.S. policy, rather than on law, is not only demonstrated by a look at the facts, but is emphasized as well by the memorandum's concluding paragraph:

Should we not, twenty years after President Roosevelt's hopeful dream—twenty years after the advent of the nuclear age with the awesome potentiality of incineration of our planet and the annihilation of our civilization and the culture of millenia—Should we not "spell the end of the system of unilateral action . . . that has been tried for centuries—and has always failed"?

Contrasted with the tone and substance of that memorandum is the temperate statement of 31 professors of international law from leading law schools throughout the United States, which recites simply that they "wish to affirm that the presence of U.S. forces in South Vietnam at the request of the government of that country is lawful under general principles of international law and the United Nations Charter. The engagement of U.S. forces in hostilities at the request of the Government of South Vietnam is a legitimate use of force in defense of South Vietnam against aggression."

Contrasted also with the tone and temper of the memorandum of the Lawyers Committee on American Policy Toward Vietnam is the simple resolution adopted unanimously on February 21, 1966, by the House of Delegates of the American Bar Association on the joint recommendation of its Standing Committee on Peace and Law Through United Nations and its Section of International and Comparative Law. The resolution is supported by a brief report, which concludes "that the position of the United States in Vietnam is legal under international law, and is in accordance with the Charter of the United Nations and the Southeast Asia Treaty."

The road to peace cannot easily be traversed by a divided people. Never was there a greater need for unity, for confidence, for hope.

Mr. President, I believe the President when he says that it was necessary to attack Cambodian sanctuaries in order to guarantee the safety of American forces in South Vietnam. I have just put in the RECORD the cumulative results of what we have already captured there. Any one of those weapons was subject to use, if they had not been captured and destroyed, to attack both our Armed Forces and the South Vietnamese. In that connection—the necessity of attacking the Cambodian sanctuaries in order to guarantee the safety of American forces—Mr. Stewart Alsop has written an excellent article and incisive analysis of the situation which appeared in the most recent issue of Newsweek, which bears the date May 25, 1970. I ask unani-

mous consent that the entire article be printed at this point in the RECORD.

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

[From the Newsweek, May 25, 1970]

MR. NIXON'S GREAT RETREAT
(By Stewart Alsop)

WASHINGTON.—In a queer sort of way, President Nixon and his bitterest critics are in collusion. Neither the President nor his enemies wants to talk about what the President is really doing in Vietnam. This exercise in mutual self-deception has wholly distorted the reality, and lent a strange never-never-land quality to the whole, bitter Vietnam debate.

What the President is really doing is to conduct a great military retreat—the greatest in American history. But for quite natural reasons he doesn't want to admit it—probably even to himself. So he wraps his retreat in thick layers of defiant, neo-Churchillian oratory.

The President's critics don't want to admit that the President is engaged in a great retreat either, because if they did they would have much less left to criticize. So they use the Nixonian rhetoric to prove that Mr. Nixon is not really retreating at all, but is instead expanding and prolonging an "outrageous" war.

This mutual self-deception accounts for the fog of unreality that has overhung so much of what has been said and written about the Cambodian operation. If you listen to the President, the Cambodian operation is the product of a great, historic Presidential decision, comparable to the great decisions of Wilson, Roosevelt, Eisenhower and Kennedy. If you listen to the President's critics, the Cambodian operation is an outrageous "invasion" of a small, neutral country (the 60,000 North Vietnamese already in Cambodia were presumably just having a big picnic) which will "sink the United States ever deeper in the Southeast Asian quagmire."

DANGEROUS

Of course, the Cambodian operation is neither of these things. It is a limited spoiling attack, designed to protect the rear guard of the American retreat. Retreat, as Napoleon or Marshal Rommel could attest, is a most difficult and dangerous military maneuver. All retreats present a common problem. How do you protect your rear guard, and thus prevent your retreat from turning into a rout?

In terms of this question, the Cambodian operation makes obvious military sense. In fact, the President had little real choice—he had to end the inviolability of the Communists' Cambodian sanctuaries one way or another, unless he was willing to halt his retreat or accept the risk of military disaster to his rear guard.

That Mr. Nixon is conducting the greatest retreat in American history is obvious on the face of it. When he became President, he inherited an American force in Vietnam of 525,000 men. Within a year, he will have withdrawn at least 265,000 men, and his rear guard will consist of two divisions, maybe only one. A year later, on the current schedule, there will be about 30,000 U.S. support troops left in Vietnam.

If withdrawing half a million men is not a retreat, what in heaven's name is it? Mr. Nixon's answer is "Vietnamization," but that is a euphemism.

MEANINGLESS

It is not surprising that the President does not like to talk about his great retreat. Like all Presidents, he feels history breathing down his neck, and retreat is not a good way for a politician to get himself transmogrified into a great man. Retreat-

ing in the face of Communist power is in any case not the sort of thing a man who built his political career on a reputation as a hard-line anti-Communist likes to do.

So it is natural that Mr. Nixon—perhaps quite sincerely—should keep repeating like a metronome his promise not to be the first American President to preside over "defeat and humiliation." But the promise is meaningless. For it is silly to suppose that a division or two—much less 30,000 support troops—can provide a guarantee against defeat for our side in the war. All retreats, in the nature of things, involve the risk of defeat.

The Cambodian operation is designed to reduce the risk, and it will undoubtedly do so. As of this writing, at least, the operation is a very considerable military success. Much greater stores of weapons and supplies have been captured than in any previous operation. Those weapons and supplies cannot now be turned against our dwindling manpower in Vietnam—and after all, kids in uniform have no more desire to be shot at than kids on campuses.

But more important than the booty captured in Cambodia is the simple fact that henceforth the Communists, even if they make great effort to rebuild their bases, will know that the bases are no longer secure. Secure bases are absolutely essential to a successful guerrilla operation. To cite an example from personal experience, the French *Maquis*, in which this writer served for a couple of months in World War II, would have quickly faded into nothingness without the weapons and supplies parachuted into France by the Allied secret services.

Because of the Cambodian operation, the President may yet end up with the better of the argument with his natural enemies, the liberal Democrats. The Senate liberals are now lining up behind the amendment to deny all funds for combat in Vietnam after June 30 of next year, which is, of course, a recipe for turning the retreat into a rout. There is no doubt that most Americans ache in their bones to get out of Vietnam. But there are dangers to the Democrats in making Vietnam the central issue this year.

SIMPLE PLAN

One danger is that the Cambodian operation will go well enough so that the President can rapidly accelerate his great retreat—an idea that has certainly occurred to the President. When you strip away all the rhetoric, the President's famous "plan" for Vietnam is very simple. It is to retreat as quickly as possible, provided that the retreat does not become a rout; and provided that the people who have been fighting on our side have at least a chance to avoid defeat at the hands of the Communists when our retreat is completed.

This is not very heroic, but it is perfectly sensible, and moreover there is a chance, and maybe a pretty good one, that retreat will not mean defeat. But the President has got to risk defeat—he has no choice. The spasm of national hysteria induced by the relatively minor Cambodian operation shows how little time the President has left. He must substantially complete his retreat from Vietnam within a matter of not too many months. Otherwise, this fat and flabby country, which was not fitted by history or temperament for the great-power role thrust upon it by the second world war, seems likely to go mad. Maybe it has gone mad already.

Mr. DOMINICK. In order to emphasize some of this, I shall recite, for the benefit of my colleagues who are listening, some of the things Mr. Alsop said:

The Cambodian operation is . . . a limited spoiling attack, designed to protect the rear guard of the American retreat. Retreat, as Napoleon or Marshal Rommel could attest, is a most difficult and dangerous military

maneuver. All retreats present a common problem. How do you protect your rear guard, and thus prevent your retreat from turning into a rout?

In terms of this question, the Cambodian operation makes obvious military sense. In fact, the President had little real choice—he had to end the inviolability of the Communists' Cambodian sanctuaries one way or another, unless he was willing to halt his retreat or accept the risk of military disaster to his rear guard.

Nothing could be more plain than that. Nothing could be more obvious than that it is correct than simply watching what has already been seized and destroyed in the way of enemy ammunition.

Mr. Alsop goes on to point out:

Within a year, (the President) will have withdrawn at least 265,000 men, and his rear guard will consist of two divisions, maybe only one. A year later, on the current schedule, there will be about 30,000 U.S. support troops left in Vietnam.

He goes on to say, in part:

The Cambodian operation is designed to reduce the risk, and it will undoubtedly do so. As of this writing, at least, the operation is a very considerable military success. Much greater stores of weapons and supplies have been captured than in any previous operation. Those weapons and supplies cannot now be turned against our dwindling manpower in Vietnam—and after all, kids in uniform have no more desire to be shot at than kids on campuses.

But more important than the booty captured in Cambodia is the simple fact that henceforth the Communists, even if they make the great effort to rebuild their bases, will know that the bases are no longer secure. Secure bases are absolutely essential to a successful guerrilla operation.

I said, Mr. President, that I was not going to read the entire article, and I will not. I include it in the RECORD because I think it is a very fine analysis.

Mr. President (Mr. Young of Ohio), I believe the President when he says that he will withdraw all our forces from Cambodia by July 1. I believe the President when he says that he seeks a negotiated settlement to the war. It is, Mr. President, much, much easier to be critical than it is to be correct. I believe the time has come for the Senate to be more sparing in its criticism and more generous in its support of the President, while still asserting its right in determining future policy as to future actions involving American troops. I do believe there is ample precedent in the provision adopted last year with reference to Laos and Thailand to assert the role of Congress in sharing in the determination of where U.S. ground forces may be used in the future. For that reason, I offered my substitute which will accomplish this aim in terms of the President's own expressed intentions with respect to the use of U.S. ground combat forces in Cambodia.

Mr. President, this is a simple substitute. It states as follows:

In accord with the expressed statements of the President of the United States, none of the funds authorized by this or any other Act shall be used after July 1, 1970 to finance the introduction or retention of American ground combat troops into Cambodia without the prior consent of the Congress, except to the extent that such is required, as deter-

mined by the President and reported promptly to the Congress, to protect the lives of American troops remaining within South Vietnam.

Nothing could be simpler, exercising in writing the effort to do something by way of sharing in the responsibility of determination of policy, at the same time leaving the President with a maximum of flexibility so that he can continue to use his efforts to be successful in our objectives and save the lives of as many American troops as possible.

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

The PRESIDING OFFICER (Mr. SPONG). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER FOR ADJOURNMENT UNTIL 11:30 A.M. ON MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11:30 a.m. on Monday next.

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

ORDER FOR RECOGNITION OF SENATOR JAVITS ON MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that immediately upon disposition of the reading of the Journal on Monday next, the distinguished Senator from New York (Mr. JAVITS) be recognized for not to exceed one-half hour.

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

ORDER FOR RECOGNITION OF SENATOR YOUNG OF OHIO ON MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that upon completion of the remarks of the distinguished senior Senator from New York (Mr. JAVITS) on Monday morning next, the distinguished senior Senator from Ohio (Mr. YOUNG) be recognized for not to exceed 15 minutes.

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

HANOI'S TOUGHENING STAND

Mr. CHURCH. Mr. President, one of America's leading experts on current events in Southeast Asia is Stanley Karnow of the Washington Post. He recently reported that Hanoi's reaction to our Cambodia operation was to stiffen its resolve to fight U.S. forces in Vietnam, Laos, and Cambodia. This toughening stand is part of the price we are paying for our venture into Cambodia. It challenges, as Karnow says:

President Nixon's contention that his Cambodian venture will shorten the war.

This report is added evidence of how urgent it is to go no further into Cambodia. It underscores the need for Congress to backstop the President, in sharing with him the responsibility for setting the limits on the Cambodian front.

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

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

[From the Washington Post, May 15, 1970]
UNITED STATES SEEN CAUSING STIFFER HANOI STAND

(By Stanley Karnow)

HONG KONG, May 14.—The American and South Vietnamese intervention in Cambodia seems to have stiffened Hanoi, reducing the prospects for a negotiated settlement of the widening Indochina conflict in the foreseeable future.

This view, which challenges President Nixon's contention that his Cambodian venture will shorten the war, is held by Western and Asian diplomatic analysts here as a result of their examination of North Vietnamese, Chinese and Soviet maneuvers and statements in recent weeks.

As these analysts see it, the U.S. thrust into Cambodia appears to have thwarted Soviet attempts to persuade the Vietnamese Communists to negotiate and has pushed them closer to China, which has long advocated a tough approach to the war.

A significant indication that the Chinese have registered gains in Hanoi was evident in the treatment they gave Le Duan, the first secretary of North Vietnam's Lao Dong (Workers Party), during his three-day visit to Peking this week.

Among other things, Le Duan was accorded a joint audience with Mao Tse-tung and his designated successor, Marshal Lin Biao, which one observer here described as "The Chinese equivalent of being received by Allah and the Prophet together."

In addition to having what a Chinese communique called a "very cordial and friendly conversation" with Mao and Lin, the North Vietnamese leader talked with Premier Chou En-lai and the Chinese army chief of staff, Gen. Huang Yung-sheng.

Analysts here believe that the Chinese probably pledged to step up their military and economic aid to Hanoi and the Vietcong in anticipation of a prolonged Indochinese conflict.

The fact that former Cambodian chief of state, Norodom Sihanouk bluntly asked the Soviet Union to recognize his Peking-based government-in-exile yesterday further suggests that the Chinese and Vietnamese Communists are exerting pressure on Moscow to adopt a hard line.

Despite their protestations of support for Prince Sihanouk, the Russians have withheld official recognition of his exile government.

Analysts here believe that Sihanouk's appeal for Soviet recognition was not only encouraged by the Chinese, but also cleared with Le Duan at a meeting between the two men in Peking yesterday.

Moreover, it is thought, the question of Sihanouk's government as a symbol of Indochinese Communist resistance to the United States was raised by Le Duan in talks with Soviet party leader Brezhnev in Moscow Friday.

In contrast to the effusive description of his conversation with Mao, the Le Duan meeting with Brezhnev was perfunctorily portrayed by Hanoi as having taken place "in an atmosphere of fraternity and sincerity"—a signal in Communist jargon that the Moscow talks were a flop.

The North Vietnamese leader apparently failed to move Brezhnev to assume a harder line in response to the U.S. incursion into Cambodia. Consequently, he found sympathy in Peking.

Piecing together the complicated chain of events that prompted Le Duan to urge the Russians to stiffen their position, analysts here see the American driven into Cambodia as well as the simultaneous U.S. air strikes against North Vietnam as a turning point.

Though they were preparing for the possibility of a U.S. move into Cambodia, the North Vietnamese still displayed a good deal of diplomatic flexibility throughout April.

For one thing, they left three diplomats ensconced in the Polish embassy in Phnom Penh after evacuating the rest of their mission in case Cambodian Premier Lon Nol agreed to reach an accommodation on the Vietnamese Communist sanctuaries in Cambodia.

As Lon Nol himself disclosed this week, Hanoi also sought through Chinese Communist intermediaries to come to terms with Sihanouk's successors on the issue of the sanctuaries.

About the same time, the Soviet delegate to the United Nations, Yakov Malik, proposed that a new Geneva conference be convened to "relax tensions in the Indochina peninsula."

The fact that Le Duc Tho, Hanoi's highest-ranking official at the Paris talks, was in Moscow at the time that Malik made his statement suggests that the North Vietnamese at least supported the notion of sending the Geneva conference proposal aloft as a trial balloon.

On April 19th, Le Duan arrived in Moscow to attend the celebrations marking the centenary of Lenin's birth. His speech calling for Vietnamese, Laotian and Cambodian "unity" against "U.S. imperialism" foreshadowed the "summit conference" of Indo-Chinese leftists then being organized.

At that conference, North Vietnamese Premier Pham Van Dong showed relative moderation. He affirmed Hanoi's respect for the 1954 Geneva agreement and asserted that North Vietnam would continue to fight on the "diplomatic" as well as military and political fronts.

On April 29, apparently convinced that nothing dramatic was in the offing, Le Duan left Moscow for Peking en route home. He may have learned of the U.S. move into Cambodia on his arrival in the Chinese capital.

Sources here submit that Le Duan's primary aim on that trip to Peking was to persuade the Chinese to concede to some kind of "united action" with the Russians on the Vietnam problem. The North Vietnamese have been unsuccessfully pursuing that objective for years.

But when he received news of the American drive into Cambodia and the air strikes above the 17th Parallel, Le Duan's mission abruptly changed. Now he had to persuade the Russians to stiffen their position along Chinese lines.

He scrambled back to Moscow, only to discover that Brezhnev had gone to Czechoslovakia. For reasons that are still not clear, Le Duan went on to Warsaw.

A clue to the extent of Hanoi's hostility to negotiations at this stage—and a hint of what Le Duan intended to tell Brezhnev—was reflected in a Hanoi Radio broadcast denouncing United Nations Secretary General U Thant's May 5 proposal for an international conference on Indochina.

The proposal, the broadcast said, "only serves to encourage the U.S. imperialists" and further "shows that the U.N. is merely an American tool."

That denunciation, sources here recall, is the first time that the North Vietnamese have condemned without qualification a rec-

ommendation for an international conference.

At the same time, the North Vietnamese and Vietcong delegates postponed the weekly session of the Paris talks and Xuan Thuy, the chief Hanoi representative, returned home.

But the Russians still stuck to the notion of negotiations, as evidenced by statement in Paris on May 6 by Polish Foreign Minister Stefan Jedyrychowski saying that Poland and presumably the Kremlin favored an enlarged Geneva-type conference on Indochina.

Back in Moscow two days later, Le Duan met with Brezhnev for the second time in three weeks and probably heard a repetition of the Jedyrychowski thesis. That this disappointed Le Duan was plain from a Hanoi report on the meeting.

"The two sides exchanged views on problems concerning the intensification of the U.S. imperialists of their aggression against the Indochinese peoples," the Hanoi report said, adding that they also "considered measures" for strengthening their friendship. Le Duan took off again for Peking.

In the opinion of analysts here, the Russians cannot plausibly continue to refuse to take a tougher position without losing prestige in Hanoi and harding the Chinese an ideal propaganda weapon with which to berate the "Soviet revisionist clique."

IDAHO NEWSPAPERS SUPPORT COOPER-CHURCH AMENDMENT

MR. CHURCH. Mr. President, two leading Idaho daily newspapers share my grave concern about our involvement in Cambodia. Each expresses support for the amendment of Senator COOPER of Kentucky and myself that would limit our intervention there.

The Idaho Statesman in an editorial on May 19, 1970, suggests:

President Nixon's adamant opposition to the Church-Cooper amendment tends to undermine the credibility of his pledge to do what the proposal would require—remove U.S. troops from Cambodia by June 30.

Two paragraphs later the Statesman states that—

in view of the domestic political situation the amendment might help the President more than it could hurt him.

The Lewiston Morning Tribune joins the Statesman in viewing the Cooper-Church amendment as one that should be viewed by the President as an aid, not a hindrance.

Its concluding sentence in an editorial of May 19, 1970, declares:

If the Church-Cooper amendment should force a withdrawal from Cambodia by June 30 despite strong military pressure to remain, then the President would have abided by his timetable after all. And that would help more than anything else right now to repair his credibility around the world.

I ask unanimous consent that the two editorials be printed in the RECORD.

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

[From the Idaho Statesman, May 19, 1970]

AMENDMENT MIGHT HELP PRESIDENT

President Nixon's adamant opposition to the Church-Cooper amendment tends to undermine the credibility of his pledge to do what the proposal would require—remove U.S. troops from Cambodia by June 30.

Supporters of the President are saying both that there is no question that Mr. Nixon will

make good on that pledge, and that the President's hands should not be tied.

In view of the domestic political situation the amendment might help the President more than it could hurt him.

First, it should soothe the feelings of people who were distressed when he made the move into Cambodia. Secondly, it would provide assurance that the United States will not be pulled into a Vietnam style adventure in Cambodia.

The President says the purpose of the move into Cambodia was to aid the Vietnamization program—to buy time. He says all U.S. troops will be out by June 30. Other sources say that if future forays into Cambodia are needed, they can be made by South Vietnamese troops.

All this is basically consistent with the Church-Cooper amendment. There would be inconsistency, of course, if the President decided he couldn't have the troops out by June 30, or would rather not.

The fact that the President has taken a rather rigid position on the amendment tends to feed the suspicions of those who believe he would take the country into a prolonged war in Cambodia.

Language prohibiting U.S. air support for Cambodian forces or military instruction for Cambodians ought to be stricken. The President should be willing to accept the Cooper-Church amendment, in some modified form.

One of the reasons that the amendment has generated so much support is the question of the war-making authority of Congress. The Constitution says Congress has the power to declare war. No such power is given to the President, although it has been exercised on six occasions.

If President Nixon doesn't want to preserve the option of sending U.S. troops back into Cambodia, then the amendment would not tie his hands.

The amendment is not a "stab in the back" for U.S. troops as the national commander of the American Legion described it. The Idaho Legion, while challenging the amendment, made clear that it did not question Senator Church's motives.

If the amendment is a "stab in the back," then the President's declaration that he will have the troops out by June 30 would have to bear a similar label.

The basic issue is the future U.S. course involving Cambodia and on this question the President and the Senate backers of the amendment seem to be in basic agreement.

Should the amendment win approval, and should the President later decide he wanted to engage U.S. troops in combat in Cambodia, he could take his case to Congress. This is the proper way under the Constitution.

[From the Lewiston (Idaho) Morning Tribune, May 19, 1970]

THE CREDIBILITY OF THE PRESIDENT

High ranking members of the Nixon administration are telling senators that the President's credibility around the world will be damaged if the Senate passes the so-called Church-Cooper amendment cutting off funds for further American operations in Cambodia after June 30.

The Los Angeles Times reports that three of Mr. Nixon's top advisors last week addressed a conference of Republican senators and warned them in effect that if the amendment should be approved it would be taken as a sign that the Senate does not trust the President to do as he promised and get all of the Americans out of Cambodia by that date.

The sign would be correctly read. Sen. Frank Church, one of the sponsors of the amendment, implied Sunday that the measure doesn't mean that at all, but he was merely being kind. The funds cutoff obviously never would have won the support it has if a large number of senators hadn't

thought it was needed. It is politically risky to tie the hands of a President in wartime and senators don't often take risks they don't feel are necessary.

The question is not whether the President's credibility is being damaged; it already has been. The question is whether the blame can properly be pinned on the Senate. An operation which the President sold as a quick bit of surgery that would shorten the war is threatening to widen it. The move into Cambodia was justified by the President and his staff as a purely military tactic, but some military commanders in the field now are saying that the President's timetable is militarily unrealistic.

In a report from Cambodia yesterday, the AP's Peter Arnett quoted field commanders as saying it may not be possible to clean out the border area sanctuaries by the end of June. They said only about 30 per cent of the projected area has been covered and the easiest 30 per cent at that. Further, the North Vietnamese and Viet Cong no longer are running before the American-South Vietnamese advance; they are turning and fighting back.

The prospect of being dragged deeper into Cambodia despite the President's promise that we would not be has hurt his credibility far more than anything the Senate has done. And the announcement by the vice president of South Vietnam that the Vietnamese intend to stay in Cambodia for some time despite White House assurances that they would not hasn't helped.

Mr. Nixon took this country into Cambodia on the basis of bad advice from the military and there is a deep-running fear in the Senate that more bad advice might keep us there.

If the Church-Cooper amendment should force a withdrawal from Cambodia by June 30 despite strong military pressure to remain, then the President would have abided by his timetable after all. And that would help more than anything else right now to repair his credibility around the world.

LETTERS FROM TWO CONCERNED AMERICANS

Mr. CHURCH. Mr. President, American military intervention in Cambodia has generated an avalanche of protest mail at my office in Washington. Approximately 25,000 communications, some bearing dozens of names, have been received—the largest volume I have ever experienced on any subject since I came to the Senate nearly 14 years ago.

These letters come from professional people and blue-collar workers, farmers, and city dwellers, young and old, schoolchildren and university students. Many have a special quality about them. This afternoon, I wish to share two of these with my Senate colleagues.

The first is from a marine now in Vietnam, who writes that the Cooper-Church amendment, now the pending business before the Senate, offers "the first bit of hope" he has had since he first went to Vietnam 6 months ago:

If the Vietnamese people are to be saved from extermination and the American people saved from civil war, "he writes," it will only be through the efforts of men such as yourself.

I shall place the full letter in the RECORD but withhold the name of the marine.

The second letter is from the heartland of America, the Midwest. Steven

Johnson of Madison, Ws., sent me, in his words:

My two weeks' pay-check to be paid to the order of the Committee for the Amendment to End the War.

The Nixon administration is grievously mistaken if it believes that only a minority of voluble students is against our military policy in Indochina. My mail shows that political moderates among professional and nonprofessional adults in the United States are profoundly disturbed by our persistent war in Southeast Asia. The administration, since its Cambodian venture, will ignore this fact at its peril—and, consequently, at the peril of our beloved country.

I asked unanimous consent that the two letters I have referred to be printed in the RECORD.

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

DEAR SIR: I just heard of the resolution you and some other Senators have introduced to cut off funds for this tragic war. I have been here in Vietnam for six months now and your resolution is the first bit of hope I've had in all that time. If the Vietnamese people are to be saved from extermination and the American people saved from civil war it will be only thru the efforts of men such as yourself. You have my humble thanks and prayers.

DEAR SENATOR FRANK CHURCH: I am sending you my two weeks pay check to be paid to the order of the Committee for the amendment to end the war. I am a junior in high school who is seventeen and about to turn eighteen in August 18th. I believe we think along the same lines. Only the name, age, and time are different.

Most Sincerely,

STEVEN JOHNSON.

LETTER FROM INDOCHINA

Mr. CHURCH. Mr. President, a perceptive reporter, Robert Shaplen, has been providing the American people for many years with informative insights into the fallacies of American policy in Southeast Asia. These analyses have appeared periodically in the columns of the New Yorker magazine.

In the May 16, 1970, issue, Mr. Shaplen again dispels the illusions constantly circulated by American and Vietnamese policymakers in Saigon. The disastrous economic situation, the endemic fragility of the dictatorial Thieu regime, and the shortcomings of the decision by President Nixon to invade Cambodia are persuasively detailed by Mr. Shaplen.

At the conclusion of the article, Senator Thai Lang Nghiem, described as "an ardent anti-Communist," gives a devastating analysis of his ravaged country and its military leaders:

Senator Nghiem is quoted as declaring:

The people's confidence is now frozen, their hope has now disappeared. Early in this Year of the Dog, we are witnessing the bankruptcy of the regime's political authority, the failure of all efforts to build up a Second Republic. Many had hoped that the beaten path of failures would have served as an example to the new leaders, but they are now advancing along the same path, following the same political ground rules that were used by the old leaders. Old and new leaders come from the same social strata—those which

used to be controlled by foreigners, the scum of society that floats on the surface of the boiling social pot. . . . The heart of the matter is not the offensive of the Communists but the dirty nature of our own people, our own leaders. Our minds are dirty, our hearts are dirty. It is clear that we are up to our necks in corruption. It has entered our bloodstream, our lungs, our hearts. It is no longer an individual disease. It is systematized. It has got hold of the whole regime. Corruption comes from the organization of power. To stamp out corruption means to reorganize power—in this case, political power, political institutions. Power must be put back in the hands of the people. The New Year of the Dog is the New Year of general fatigue, of a feeling of pain after being beaten up.

Surely, Mr. President, this is a sobering and stunning statement by a member of the national legislature of South Vietnam.

I ask unanimous consent that Mr. Shaplen's article be printed in the RECORD.

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

LETTER FROM INDOCHINA

(By Robert Shaplen)

SAIGON, May 7.—South Vietnam is now experiencing another one of the paroxysms that have shaken the country so often for so many years that one wonders how it can hold together, let alone fight a war. The latest convulsion has been brought on primarily by economic problems—soaring inflation, growing discrepancies in income, and the mounting cost of the war. All this has inevitably agitated the body politic. As many Westerners tend to forget, the Vietnamese, behind their façade of fatalism, are a highly volatile people, and the visible manifestations of the present troubles have been frequently violent emotional outbursts that have filled the streets with shouting mobs and that reached a climax this week with a bloody clash at the National Pagoda in which several people were killed. The significance of the demonstrations goes beyond recent complaints by students and by disabled veterans about repressive acts and privations imposed by the government, and even beyond the general resentment over the murder of Vietnamese citizens by Cambodians across the border or by Vietnamese Communists in this country. There is a rising undercurrent of anger over the war itself, and over both what the Americans have done and what they have not done. Even some of my most pro-American Vietnamese friends are beginning to wonder if the time has not come to stop associating with Americans and Vietnamize themselves personally. One of the popular newspapers is running a daily contest for which its readers submit details of atrocities committed by individual Americans—such as homicide, rape, or simply leaving the scene of an accident.

If the whole American venture in Vietnam can itself now be classified as a tragic accident, it is one whose scene we are not apt to be leaving soon. Widening the scope of the war, in Laos and Cambodia as well as in Vietnam, may, as President Nixon hopes, shorten the conflict, but few observers here—whether Vietnamese, Americans, or members of the foreign diplomatic community—really believe that it will. We seem to be nearing the moment of truth, and the truth is that consistent misunderstanding and mismanagement of the war from the outset have now brought us to the highly dangerous point of withdrawing our troops while broadening our commitment—a script worthy of Lewis Carroll. Years ago, the American military establishment, after warning against our becoming involved in a war on the Asian mainland, be-

gan to express resentment at being shackled and forbidden to attack Communist bases and sanctuaries outside South Vietnam. The generals were permitted to engage in limited bombing of the North, but that was stopped in order to get the Paris peace talks started. It seemed to me that there was at that time a certain logic—at least, military logic—in the pleas of the soldiers, which, in the case of Cambodia, were rejected because that country was officially neutral. We would be widening the war, it was maintained, instead of fighting a limited war, which was what President Johnson kept insisting we were doing, and we would sink lower in world opinion, which had already condemned our bombing of the North and our killing of civilians in the South. But now, at what we have been hopefully claiming is the penultimate moment, we have suddenly invaded Cambodia in an effort to destroy the vital Communist base areas, particularly the headquarters of COSVN—the Central Office for South Vietnam—from which the war in the Mekong Delta and in other parts of the South has been directed. And we have done this a month and a half after the unseating in Cambodia of Prince Sihanouk as chief of state and the takeover by the Lon Nol government, which has proved incapable of maintaining either Cambodia's territorial integrity or its neutrality. We are attacking when the situation in Cambodia is already grave and when the Communists have—as one could have predicted—dispersed most supply depots and headquarters, redeploying them, under Hanoi's orders, either deeper inside Cambodia or back into the South Vietnamese jungle. In fact, on March 18th, the very day of the coup against Sihanouk, a Communist document (it bore that date and was captured twelve days later near the Vietnamese border) said, "We must positively protect our agencies [base camps] and logistic installations in the border area by moving all of them to our territory [in the jungles of South Vietnam]." The document added, "The elements that may be selected to stay in the border area are to disperse their depots" and "be combat-ready for self-preservation and to fight back whenever the reactionary [Cambodian] troops attempt to destroy them."

If it is true that the government of Lon Nol did not know in advance about the American and South Vietnamese offensive, the attack clearly appears to be a violation—or, at best, a preemptory alteration—of the so-called "rules of engagement." Such rules, which are usually established by ranking civilian officials, up to the President, impose certain guidelines and restrictions on the military. In effect, they are a kind of top-level, top-secret martial law, and the American military men here have always professed to follow them, though there have been exceptions, justified by pleading the military necessity of "hot pursuit" or "protective reaction." These exceptions have included our bombing of, and occasional ground forays into, the Demilitarized Zone separating North from South Vietnam. Our resumption last week of the bombing of North Vietnam after our reconnaissance planes had reportedly been fired upon there was justified under the heading of "reinforced protective reaction."

President Nixon has cited the need "to go to the heart of the trouble" and "end this war rather than to have it drag on interminably" as the main justification for the attack on Cambodia, but eight weeks of such an operation—eight weeks is the period he has allotted to it, and this, of course, does not allow for its prolongation or its repetition—patently amounts to more than the President implied. No matter what the President has said about restricting the troops' area of action, what has taken place is a full-fledged invasion. If, as he said, "we will not allow American men by the thousands to be killed by an enemy from privileged sanctuary," one is left wondering why the sanctuary wasn't

attacked sooner—at the height of the fighting along the Cambodian border several years ago, or at the height of Sihanouk's flirtation with the Communists—and in a more efficient manner. Wide sweep operations like the current one have failed more often than not throughout the history of the Vietnam war, and this one—so far, at least—appears, from the American military point of view, ineffective, too. The Allies may kill two or three thousand people and ultimately find some large caches of weapons and some underground installations, but it seems apparent that our potential gains are dwindling even as we get bogged down in mud. If the Allies were determined on this course of action in any case, they would surely have been far better off making swift, commando-type raids within a few days of the coup in as many different places as possible—especially in the areas east of the Mekong, where the Communists have moved quickly to gobble huge chunks of Cambodian territory. The Allied action will doubtless make things more difficult for the Communists temporarily, but Hanoi now has a better excuse and a better opportunity for retaliating as it sees fit in the course of its attempt to conquer the whole of Indo-China. Indeed, one of the first effects of our invasion seems to have been a rallying of pro-Sihanouk Cambodians to the new joint Sihanouk-Communist government-in-exile, thus creating an increased likelihood of a full-fledged Cambodian civil war. Hanoi and Peking would be the ones to pick up the pieces then.

To be sure, the difficulties that the Communists are facing all over Indo-China are not to be underestimated, as they are the first to admit. Besides the difficulty of moving supplies down the Ho Chi Minh Trail in the rainy season that is beginning this month, the North Vietnamese are fully aware of the other problems they are confronted with in prosecuting the war in South Vietnam. These problems stem partly from the gains that the Saigon government has made in its pacification program, which, with all its faults, has brought a widely increasing number of the population under government control. Though these people remain, for the most part, politically uncommitted, they can at least make a living without being drafted into the Vietcong or recruited by the Communists and taxed by both sides. The resulting manpower shortage for the Communists—particularly in the Mekong Delta, which contains about a third of South Vietnam's eighteen million people—has been exacerbated by heavy Vietcong losses, both in the main force and in the regional and local guerrilla units. Sizable elements of five North Vietnamese regiments that Hanoi has sent into the Delta have therefore been broken up into small groups to fill the shattered Vietcong ranks. These Northern replacements now make up about eighty per cent of the former Vietcong main-force units and more than half of some of the battered regional and local units as well. As strangers in the South, who know little or nothing of the terrain, the Northerners are often resented by the more independent-minded and easy-going Southerners. This has become apparent in sometimes startling ways. When I visited the Delta recently, I was told that the bodies of North Vietnamese soldiers killed in action were very often simply left lying in fields or floating in canals, whereas those of Vietcong regulars or guerrillas were always carried off, in keeping with a practice traditionally followed by the Communists, even under the most hazardous conditions, throughout the war.

Directives issued by the Central Office of South Vietnam—notably, its Resolution No. 9, which was issued late last year, and the more recent Resolution No. 14—have repeatedly stressed the theme of renewed guerrilla warfare that is likely to last for a long time. Resolution No. 14 carefully omits any

references to such staples of earlier resolutions as "a decisive victory" to be gained "in the shortest possible time." Even if there should be a cease-fire, the new resolution says, "only guerrilla warfare can achieve our purpose in the complicated situation" that would follow. The Communists also acknowledge that "the people's confidence concerning the revolution became weaker" during 1969, and that this has led to "rightist tendencies" and to "a decrease in political struggles." Belatedly, the Communists say that they "failed to realize the importance of the coordination of guerrilla war with our three-pronged attack"—on the military, political, and diplomatic fronts. The truth of the matter is that the Vietcong simply haven't enough guerrillas to go around now, though we cannot assume that they will be unable to "re-guerrilla-ize" the situation once the Americans are gone. "The only way to cope with an enemy who has large numbers of troops and war facilities is to wage guerrilla warfare through the three strategic areas [the mountains, the lowlands, and the cities], to wear down and destroy the enemy on a continuing basis."

For the first time in many years, Hanoi is renewing emphasis in South Vietnam on the use of captured arms and ammunition and the manufacture of weapons—measures that hark back to the period after 1958, when the Second Indo-China War began, against the regime of the late Ngo Dinh Diem. So far, the Communists admit, "the expansion of the guerrilla-warfare movement has been slow and limited and has thus failed to meet the requirements of the general offensive and uprising campaign." For this reason, the word has gone out not to strike at a large number of objectives simultaneously but "to strike at a few objectives over a wide area." The husbanding of strength and the use of restraint instead of "going ahead with the military struggle when conditions are not ripe" is the 1970 formula set forth in the words of Le Duan, First Secretary of the Lao Dong (Workers') Party in North Vietnam. (Le Duan probably remains first among equals in the contest still going on over who will succeed the late Ho Chi Minh.) The Communists—despite the manifold problems they face, and despite their inability to compete with the economic inducements that the government can offer the population, thanks to American aid—retain an organizational edge. The V.C.I., or Vietcong infrastructure, composed of about fifty thousand people, including perhaps five thousand important Party leaders, has been weakened, but it remains intact. What the Communists are basically trying to do in the hamlets, villages, and cities is to create an "in-place" force that will lie low and wait for new opportunities to attack. In some localities, including Saigon, where the special police have greatly stepped up their efforts, the Communists have had some trouble doing this, but elsewhere—in other cities, in towns, and in ninety-five per cent of the hamlets that the government labels "secure," or almost so—there is no valid measure of V.C.I. strength, and surely not the American computers that rate the security of hamlets on the basis of answers to a hundred and thirty-nine questions. No computers, and no Americans, can really find out who among the Vietnamese are loyal to the government today, how many of these may be "in place" tomorrow, or which side of the flimsy fence the majority of the people are actually on.

What is probably true is that—in the words of John Paul Vann, the able and experienced head of the American-Vietnamese pacification program in the Delta—"tens of thousands of people here have made the decision that the war is over for them." They have come to feel that the pressure that the government—and especially its local militia, the Regional Forces and the Popular Forces—is putting upon them makes the risk of sup-

porting the Communists too great. This does more than anything else to account for the presence in the Delta today of only an estimated seventeen thousand guerrillas, compared to twenty-six thousand a year or so ago, and for a decline there in the guerrillas' basic manpower reserve—which used to supply not only the Delta but the area north of Saigon, too—from three hundred thousand at the time of the 1968 Tet offensive to about a hundred and thirty thousand now. For every four men the Communists lose, only three are replaced, and most of these are "fillers" from North Vietnam, about half of whom reportedly suffer from malaria after the arduous trip south. Generally speaking, Vann points out, the North Vietnamese are easier to fight than the Vietcong, "because they are tied to their logistical tail, in their bases along the Cambodian border, and they haven't got the same popular support as the V.C." Also, he says, "having to attack quickly and then withdraw quickly, they are more vulnerable to air, ground, and artillery reaction, since they can't melt back into the population as readily as the Southerners."

During two recent trips I made through the Delta, one with Vann and one with George Jacobson—the deputy chief of the country-wide pacification program and a man with ten years' experience in Vietnam—I noted a number of developments that looked encouraging for Saigon, but I also saw some things that left me wondering how stable the situation really is. The population has been moving back into areas long held by the Vietcong, using canals and roads that had been closed for years, but though incidents of terrorism have been decreasing, they still occur. Economically, many of the people are better off than they were a year ago, thanks partly to a record rice crop, but prices are rising, and the advantages of the so-called "Honda economy"—the result of the American policy of flooding the country with all sorts of consumer products to soak up local piastres—are beginning to wane. Some farmers are hoarding rice for prices to rise still further, and others are selling rice to the Vietcong, who are willing to pay very well for it. Survival is the underlying theme, so there is a general wait-and-see attitude and a continuing amount of quiet accommodation with the Communists. This means, among other things, that the gathering of intelligence information under the South Vietnamese-American Phoenix program is still extremely uncertain and that there is a widespread unwillingness to act upon it. Once the Americans stop riding herd on this effort, it could easily come apart. So far, more Communists are being killed or are surrendering than are being caught in the intelligence nets, and some of those surrendering are suspected of being plants for the future "in-place" game. This spring, elections are being held for the offices of half the village councils and a third of the hamlet chiefs elected in 1967. In the Delta—and elsewhere, too—there have been more candidates and more enthusiasm this time than last. During the elections, some candidates and incumbents have been assassinated, and some suspected Communists have been elected, but by and large the Vietcong have not interfered with the voting process as much as had been anticipated.

Village-development programs—local projects for providing such things as irrigation pumps, bridges, and pig farms—are making considerable headway, but the real test of whether the Thieu government can gain support in the rural areas will come with the attempt to carry out Thieu's recently passed land-reform act. On paper, the act is historic. For the first time in a fifteen-year history of would-be land-reform programs in South Vietnam, tenancy has been legally eliminated and the farmer is able to own the land he tills. Since eighty per cent of the nation's arable land is in the Delta, the pro-

gram is essentially tailored to conditions there. If it is successfully carried out nationwide, between eight and nine hundred thousand hectares of land (a hectare is about two and a half acres) will be distributed free to about a million tenant-farmer families over the next three years. More than half the total rice land in South Vietnam will be affected, and almost half the population (reckoned on the basis of six children to a family). The government is paying the former landlords two and a half times the value of the annual crop yield of the land transferred. Twenty per cent is paid in cash and the rest in government bonds, but to avoid further inflation the Americans, who are helping to finance the program, are providing dollars to be used by the government for the importation of non-luxury items. This, in turn, will help free piastres to pay off the landlords. Ten million dollars has so far been allocated and another thirty million is being sought in our Congress this year. Ultimately, the program will cost about four hundred million.

Each farmer in the Delta will be allowed to own three hectares of land, but in central Vietnam, where the average holding is smaller, the limit is one hectare. A landlord anywhere in the country who tills his own land can keep fifteen hectares. Farmers who were given land while it was controlled by the Vietcong will be allowed to retain it. Anyone receiving land is forbidden to sell it for fifteen years—a period that the Americans regard as too long, because it will freeze the pattern of small holdings and thus hold back mechanization. While the reform measure has great political significance, potentially altering the social and economic structure in the villages, and, Thieu hopes, inspiring new loyalty to the Saigon government, there are many hurdles to overcome. A Delta farmer who is tilling twenty hectares now, for example, may want to dispose of seventeen to his friends or relatives, and may pay off land-authority officials to arrange it. The province and district chiefs and the land registrars in the villages will be the key figures in executing the law. For example, it will be up to them to see that the distribution follows prescribed priorities; that the first to receive grants, after farmers now tilling their land, will be soldiers and veterans, relatives of war dead, and prewar cultivators. The margin for maneuvering and for payoffs and favoritism is a wide one, particularly in view of the urbanization process that has taken place in Vietnam of late years, since there are likely to be contests over land titles between those who now want to return to the countryside and those who have stayed there all along. In some parts of the country—notably, the "floating-rice-field" areas of the Delta, where members of the Hoa Hao religious sect have large holdings—"struggle movements" against the law have already been started, and the Vietcong can surely be expected to incite more trouble. In principle, a farmer owning his land and harvesting more rice than ever before, owing to the use of the new miracle-rice seeds developed in the Philippines under United States auspices, and now at last able to reduce or entirely avoid the influence of middlemen in disposing of his crop, should rally to the cause of a government that has made all this possible. But things never work out quite that simply in Vietnam, and it is still uncertain if land reform will at last succeed or will once again be subverted.

With all the misery and destruction the war has caused, Vietnam remains a land of transcendent beauty, and no part of it is more beautiful than the central coastal area reaching from Phu Yen Province up to Quang Nam Province. This is traditional revolutionary country, and many of the heroes of the nation's historic anti-Chinese and anti-French struggles were born here; since the days of the Vietnam, before the Communists came to be called the Vietcong—a name, in-

centially, that they never have accepted, because they regard it as a propaganda tag invented by Diem—the Communists have been determined to gain and hold this area. It may turn out that they cannot hang on in the Delta, or they may decide to wait until the Americans are gone to prosecute a new guerrilla effort there, but they will be less ready to give up either in the central coastal region or in the highlands to the west.

I recently visited Phu Yen and Binh Dinh, the province just north of it, and I came away with the odd feeling that, despite some obvious changes, the situation was in many ways what it was five years ago, when American troops kept the Communists from cutting the country in two there by moving across from the coast to the Cambodian border. And in some respects the picture was disturbingly like the one I found in 1962, when I returned to Vietnam after an absence of ten years. This was particularly true in Phu Yen, a retrograde province that a year or so ago was rated as one of those most loyal to Saigon and is now rated as one of the least so. In 1962, when the Americans only had a handful of advisers in Phu Yen, about the only places the government held securely were the capital, Tuy Hoa, on the coast, and its airstrip. During 1968 and 1969, two Korean regiments were mainly responsible for the successful work of pacifying the lush inland valley region and resettling people there, but now most of the Koreans have moved on and things have deteriorated. Since the first of the year, members of a North Vietnamese regiment have been moving down from the hills and have abducted more than six hundred peasants from the province's central valley. These people—most of them men and women over forty, with a number of teen-age boys—have been seized at night in their homes and taken into the hills, where they have been given four or five days of indoctrination, in the course of which they have been told that the Americans have lost the war and are leaving. Then most of them have been sent back to their villages to lie low and "wait." About a fifth of those abducted have not been sent back; these have been primarily boys between twelve and sixteen, who have been either kept in the hills to help the Communists or sent to North Vietnam for further indoctrination and training. Similar abductions have taken place in a number of other provinces during the last several years, and it is estimated that between five and seven thousand young men have been sent to the North. This is the strongest indication Hanoi has offered that it means what it says about beginning another guerrilla war after the Americans go home. When the First Indo-China War ended, in 1954, some eighty thousand persons voluntarily went North, and some of these formed the nucleus of the "returnees" who were the vanguard of the war against the regime of Ngo Dinh Diem, which began in 1958.

Much of the blame for the decline of government influence in Phu Yen belongs to the province chief, Colonel Nguyen Van Ba. An old-fashioned, French trained officer, Ba has held his present job for four years, but he lost interest in it some months ago when he failed to be appointed a division commander. According to the Americans, Ba has been concerned about the abductions but has done little or nothing to prevent them. He depends on the remaining Koreans and a small element of the American 173rd Brigade for protection, and allows his Regional and Popular Force elements to do pretty much as they choose; many of these territorial troops, in fact, come into Tuy Hoa at night for their own safety and to help Ba's security forces there. During a conversation I had with Ba, he told me that the abductions had ceased a month earlier, but an hour after our conversation, when I drove out in a jeep to an insecure village near the

first ridgeline of hills adjoining the valley, officials there told me that nineteen more people had been abducted only two nights before, by members of a thirteen-man band of Communists who had been visiting the several hamlets of that particular village almost nightly. Of ninety-four men, women, and children who had been abducted since January, all but twelve had returned. When I asked one of the hamlet chiefs about the current influence of the Communists—who by day, I discovered, were also collecting rice from the peasants working the fields—he replied, "The people don't believe what the Communists say, but they are intimidated and have to obey." It seemed to me that, partly because of its Vietminh history and partly because of its hilly geographical configuration, the Communists were making a test case of Phu Yen, and that they were succeeding in undermining the whole pacification process—and also demonstrating the vulnerability of the Vietnamization process when there is a failure of leadership.

The situation in Binh Dinh, though it was not as critical, was not very different from what I had found there on previous visits, and reminded me that over the last seven years I had seen the province change hands four or five times, always depending on how many Americans or Koreans were around to help the South Vietnamese and the provincial and local forces. Binh Dinh, which has a little less than a million people, is one of the most populous provinces in the country. The Koreans and most of the 173rd Brigade are there today, but they may all leave by the end of the year, and it is very doubtful whether the Vietnamese can then handle the security situation alone. Binh Dinh has always been a target for terrorism, and early in April, during the most recent flurry of Communist activity throughout the country, there were a number of assassinations, ambushes, rocket and mortar attacks, and hit-and-run ground attacks on Vietnamese bases, which together caused substantial damage and fairly heavy losses. The combined Allied forces hit back hard, costing the Communists even heavier losses, but although slightly more than half the hamlets are now considered to be completely or almost completely secure, and people are moving back into some that had been abandoned, the over-all situation is still rated as tenuous. And because of its long Vietminh history Binh Dinh, like Phu Yen, is a hard place to judge. "Whom can we trust enough to give guns to?" Tom Stephens, the American deputy province senior adviser, asked me.

Whatever happens in Laos and Cambodia, where the Communists, for the most part, are now in a position to call the tune, Hanoi remains fully aware that South Vietnam is still the main prize and the key to the control of Indo-China. It is equally aware that, except in perhaps ten or twelve of the country's forty-four provinces, the Communist forces are not now strong enough to sustain a pattern of attacks. The amount of matériel they have been sending down the Ho Chi Minh Trail—as many as a thousand trucks a day during February and March, each carrying three or four tons of arms and supplies—has demonstrated that the Communists are still thinking in terms of long-range resistance. The rate of troop infiltration over the last few months has tended to fluctuate. The reasons for this include manpower problems in the North, where Hanoi is still having trouble finding enough workers for its own agricultural and industrial development, and a desire to conserve military strength and deploy replacements more carefully in view of the extension of the battlefields into Laos as well as Cambodia.

During an upsurge of activity in South Vietnam that began on the night of March 31st, when the Communists launched about two hundred attacks throughout the coun-

try—mostly rocket and mortar assaults, with some ground fighting—they did not succeed in striking many of their chosen targets, such as the city of Can Tho, in the Delta, but they did manage to do considerable overall damage. The next night, the number of attacks dropped to sixty, and over the next ten days diminished to ten or twenty a day. A fresh "high point" can come at any moment, though some intelligence experts do not expect it until August.

The Allied assault in Cambodia obviously makes it harder for the Communists to strike and then duck back across the border, as they have been accustomed to doing, but it also offers them new opportunities to strike within South Vietnam, since they can take advantage of the wider deployment of Allied troops. This is what they have always sought to do—force the Americans and South Vietnamese to concentrate their forces in one place and then hit in another. A key to the military success of the Cambodian operation will be their response to it in Vietnam in the next month. Some observers also anticipate a lot of new action across the D.M.Z., in the vicinity of which the Communists recently stepped up their activity, leading the Americans to respond with their brief air strikes in North Vietnam.

All in all, as long as the North Vietnamese and the Vietcong can be kept on the run by aggressive tactics on the part of the Americans and the Koreans, the two or three good ARVN divisions, and the improving territorial forces, the chances of another major offensive, or even a sustained smaller one, within South Vietnam are slight. And yet there is nothing to convince one that the South Vietnamese can carry the burden of the war against a strong, persistent enemy willing to suffer high losses. The contest depends largely on time, involving, on the Communists' side, their ability to restore the strength of the Vietcong and the guerrillas and to solve the problem of blending the North Vietnamese into their forces in the South, and, on the government's side, its ability to coordinate its efforts and weld a more mobile force. In this, each component—ARVN as the strike element, the Regional Forces as the aggressive provincial troops, and the Popular Forces and volunteer self-defense units as the defenders of the villages and hamlets—must learn what it is doing and how to work smoothly in conjunction with the others. At the moment, neither the Communists nor the South Vietnamese have succeeded in their aims, but the Communists seem more imaginative and better able to respond quickly to a changed situation.

None of this will matter if the political center in Saigon falls to hold, and the Communists know this, too. The turbulent events of the past two months haven't helped; in fact, the South Vietnamese and the Americans have only themselves to blame for letting things get out of hand. There seems no excuse for the sudden severe deterioration of the economic situation, or for the development of what amounts to a "war of nerves" between Thieu's government and the Americans over how to deal with it. Nor does there seem to be any excuse for the continued neglect of the disabled South Vietnamese veterans—something that was apparent months ago but ignored until it became uncontrollable, with the result that one-legged and one-armed men have been knocked around and tear-gassed by police. Nor can the treatment of the student rebellion be condoned, though the Communists and other political factions, and a new, swinging "Honda set" as well, have obviously taken advantage of it to raise as much general havoc as possible. Over many years in Vietnam, I have seldom seen so much division within the American mission. One expects that among the Vietnamese, but in terms of our institutions we have proved ourselves as inept as they are at handling the

problems involved in a war as complicated as this.

On the economic front, the price of rice and everything else is skyrocketing, and, owing to corruption along the channels of distribution, the rice is not always reaching the people who need it most—the soldiers. There is constant talk of devaluing the piastre, or of establishing a new "floating," or free, market rate, as the Philippines did recently. Some such adjustment is undoubtedly necessary, but this alone won't solve the problem. The hard fact is that the Vietnamese simply cannot afford to pay for the expensive war that the Americans are now handing over to them. Saigon officials say that the country needs at least an additional two hundred million dollars this year to help defray the current deficit in the defense budget alone, and they argue that it is ridiculous for us to hold back this relatively small amount when we are already paying for Vietnamization at the rate of some two billion dollars a year. "That two billion means nothing if the man firing the new M-16 rifle you've given him hasn't enough food for his family," one Vietnamese Minister said to me. There is absolutely no doubt that the average soldier and the average civil servant cannot get along on their salaries. Senator Tran Van Don, the head of the Senate Defense Committee, who is one of the leaders of the political opposition to Thieu, has been traveling extensively around the country the past few weeks and has talked with many soldiers. "Everywhere I go, the one word I hear is *doi—doi, doi, doi, doi*," Don says. The word means "hunger."

The Americans nod their heads and agree that things are out of joint, but they keep insisting that the Vietnamese must put their own economy in order, cut down on corruption and blackmarketeering, prevent the outward flow of capital, limit unnecessary expenditures, and do a number of other things before any more aid will be granted. In a way, this is like telling a spoiled child that he has one day in which to learn to behave himself or he will be sent to reform school. Further, the Americans say that not until all these things are done can a sensible estimate be made of how much less it will cost to support one Vietnamese soldier than it has cost to support an American G.I. out here in the manner to which he is accustomed. (One guess is that the figure will be about seventy-five per cent less, which says something about what has sometimes been called "the beer-and-PX war.") At best, the situation will remain critical for the next two years—the shortest time in which the Vietnamese can hope to establish relative security after the American withdrawal. During this period, the Vietnamese will have to raise their income in part by increasing their exports and improving their miserable trade imbalance. Their receipts from taxes are virtually nil, but to reorganize a leaky tax structure at a time like this in such a way as to make the rich as well as the poor pay up overnight is a task that even the best of bureaucracies—and Saigon is one of the worst—would find difficult. Improvements can purely be made, but not enough of them can be made quickly enough to matter much.

Our criticisms particularly annoy the Vietnamese because they claim it is we who created the inflationary economy, by allowing the market to be flooded with luxury items to soak up piastres. Life has indeed been more comfortable for the private entrepreneur—the mason, the cyclo-driver, the whore—but not for those who are doing the fighting, in the field or in drab, fly-infested, un-air-conditioned offices. The whole economic problem, of course, is deeply enmeshed in politics, and here, too, the Americans are blamed—for having foisted an impossible Western system of democracy upon an underdeveloped country that can't possibly cope with it, especially in the midst of

a brutal war. If that criticism is justified, then the Vietnamese must also bear some of the blame.

Several months ago, President Thieu considered trying to introduce an economic-austerity bill in the National Assembly, raising taxes as much as sevenfold on some luxury items such as foreign cars. The House of Representatives refused to accept the bill, so Thieu, acting under a decree that dated back to the time of Diem, imposed the measure anyway. A senator, acting as a private citizen, brought suit against the government in the Supreme Court, charging that the decree was illegal. By then, the government realized that the measure had not been properly prepared anyway and was full of anomalies. The able but sorely tried Minister of Economics, Pham Kim Ngoc, prepared a new measure that would rectify the discrepancies and began drawing up a list of items whose importation would be completely prohibited, such as machines that the Vietnamese could make or assemble themselves, cosmetics, fruits, and whiskey. The revamped austerity bill was passed late in April by the House and is now before the Senate. Meanwhile, the Supreme Court has declared the earlier measure illegal.

The government's mishandling of the students' and veterans' problems grew steadily worse in April, during three weeks of demonstrations that were systematically broken up by police with tear gas—which they often threw into the wind and hence back into their own faces. The students were protesting initially against the reported torture of several of their number who had been arrested on charges of treason and subversive activities, and against the proposal that the accused be tried by a special military tribunal instead of by a civil court. Late in April, after Don's committee presented evidence to the Supreme Court that at least a third of the students had been beaten and tortured—or, in the case of the four girls, humiliated—that body ruled that such procedures were unconstitutional. The Court also clipped the wings of the military tribunal by ruling that its members had been illegally appointed and that its sentencing and appeal procedures were also unconstitutional. The government apparently got the message, for it admitted that some students had indeed been tortured—something that it had earlier denied vehemently. As things look now, the chances that any verdict of the military tribunal will be upheld are slight, even though the government claims to have firm evidence that at least four of the students had direct contact with the Vietcong. While the government attempted to mollify the students further by recognizing their union, their response was to take to the streets again. As of this week, the government has shut down all schools in the Saigon area.

The students have now become the spearhead of opposition to the government. The situation thus differs from that during the crises that occurred between 1964 and 1966, in which the Buddhists set the opposition course with the students following their example. Now some militant Buddhist leaders have joined the student-protest movement, while others, including Thich Tri Quang, the monk who led the 1963 campaign against Diem, are lying low. This week, students and militant Buddhists joined to forcibly occupy the National Pagoda, in the center of Saigon, in protest against the government—which, in turn, dispatched troops to oust them. On Wednesday, in a tragic echo of the Affair at Kent State, four people were killed by soldiers clearing the pagoda.

As for the veterans, what began as a legitimate protest against a lack of adequate housing and financial support for disabled ex-soldiers has become another *cause célèbre*, for government inaction resulted in other elements taking up the veterans' cause for

their own purposes and helping them put shacks on government and private property. Belatedly, the government then moved to give the veterans more benefits, especially housing but, by this time they had joined with the students and other dissidents in a whole rash of demonstrations. On April 28th, at a soirée for ex-generals held by Senator Don (an ex-general himself), Duong Van Minh, the nominal leader of the anti-Diem coup in 1963, who is acting more and more like a man who wants to run against Thieu for President in 1971, expressed sympathy for both the students and the veterans. Minh warned that if the government continues its blindly oppressive policies, soldiers on active duty will soon join the fight—"a disaster that must be avoided."

A particular source of embarrassment here in recent months, for both the government and the Americans, has been the case of Tran Ngoc Chau, an able former province chief and former head of the government's pacification headquarters, who has many friends among the Americans. Chau, who left the pacification job and entered the National Assembly in 1967, subsequently had a number of contacts with a brother, Tran Ngoc Hien, a dedicated Communist who was arrested last year in a spy roundup here. Few people doubt that Chau remains a dedicated anti-Communist, but he has the misfortune of also being known as a dedicated opponent of Thieu, whose ire he has aroused by talk about a coalition government. In February, the military, under Thieu's orders, seizing the pretext of Chau's contacts with Hien and flouting his presumed immunity as an Assemblyman, dragged him from the Assembly building and before a military court that sentenced him to ten years' imprisonment. Chau maintained that he had reported his conversations with Hien to the C.I.A., and for this reason and others it was felt that our embassy should have come to his defense. The Supreme Court has, for the moment at least, rectified matters by throwing out the military verdict, but Thieu's unjust action, and our embassy's unjustified inaction, will remain on the record.

The Supreme Court has thus momentarily emerged as the conscience of the foundering Second Republic. Though it is by no means certain that the Court will be able to retain that role, what it has done so far adds up to one of the most encouraging developments since the 1967 Presidential elections. It is becoming more and more apparent that Thieu is moving in the direction of what some of his aides have politely described as "clear-sighted dictatorship." Most observers, however, doubt his ability to be either clear-sighted or, for that matter, an efficient dictator. More and more Vietnamese are blaming the Americans for having sponsored him and then nursed him to the point where he has isolated himself from almost everyone except his inner Cabinet and the few Americans who see him regularly. He speaks constantly of "national salvation," but he seldom mentions the necessity of adhering to legal principles and constitutional procedures, and so far various attempts he has made to form a political party of his own with "clear-sighted" aims have failed. The blunt truth is that Thieu is unsure of himself and mistrustful of almost all Vietnamese outside the palace, and that American efforts to build him up, give him confidence, and "bend" him to be more liberal have collapsed.

Several weeks ago, Vice-President Ky, who has been trying, partly at the suggestion of the Americans, to get Thieu to delegate some authority to him or to others, had a long talk with the President, during which they compared their situation to an automobile race. "Thieu said I wanted to go too fast," Ky later told me. "He said that I might reach the finish line first, but that there was also a chance that I would have an accident en route, while he could be sure of arriving

safely. I asked him, 'What's the sense of entering the race in the first place if you don't try to win? And if you go too slow the spectators will want their money back.'" Ky told me that he had tried repeatedly to move Thieu to action, and that Thieu had often agreed but then had failed to follow through. "Some people say Thieu is a dictator," Ky said. "Actually, he is too weak to be a dictator. And he doesn't learn from his mistakes. What he most lacks is confidence in himself. As for those, like Don and Minh, who are willing to help him if he would let them, it's too late—not for them, but for Thieu."

In view of all that is happening in South Vietnam, the Cambodian adventure may well prove disastrous. I can think of no better summation than to quote from an open letter published a short time ago by Senator Thal Lang Ngheim, an ardent anti-Communist and the official spokesman for Senator Don's political group. "The people's confidence is now frozen, their hope has now disappeared," Ngheim wrote. "Early in this Year of the Dog, we are witnessing the bankruptcy of the regime's political authority, the failure of all efforts to build up a Second Republic. Many had hoped that the beaten path of failures would have served as an example to the new leaders, but they are now advancing along the same path, following the same political ground rules that were used by the old leaders. Old and new leaders come from the same social strata—those which used to be controlled by foreigners, the scum of society that floats on the surface of the boiling pot." Ngheim went on to speak of "the impotence and the blind, unjustified pride that have dominated our lives for so many years," and continued, "The heart of the matter is not the offensive of the Communists but the dirty nature of our own people, our own leaders. Our minds are dirty, our hearts are dirty. It is clear that we are up to our necks in corruption. It has entered our bloodstream, our lungs, our hearts. It is no longer an individual disease. It is systematized. It has got hold of the whole regime. Corruption comes from the organization of power. To stamp out corruption means to reorganize power—in this case, political power, political institutions. Power must be put back in the hands of the people. The New Year of the Dog is the New Year of general fatigue, of a feeling of pain after being beaten up."

ORDER OF BUSINESS—RULE OF GERMANENESS

MR. BYRD of West Virginia. Mr. President, is my understanding correct that there are no further speakers who wish to address their remarks to the unfinished business today?

In looking about the Chamber, I see no Senator who wishes to speak on the unfinished business.

I therefore ask unanimous consent that the Pastore germaneness rule be considered no longer operable at this point and that Senators may now transact routine morning business with the limitation on their speeches to be 3 minutes.

THE PRESIDING OFFICER (Mr. SPONG). Without objection, it is so ordered.

LETTERS ON CAMBODIA

MR. FULBRIGHT. Mr. President, I have received a great many letters and telegrams and petitions during the last 2 weeks. I have well over 100,000 letters, although they have not all been counted.

This morning I received at my home

two letters which I think are indicative of the point of view of many of our citizens.

One is addressed to me from a man in Georgia named Ben L. Powers.

It reads:

MAY 17, 1970.

DEAR SENATOR: The South has been lost in the past two years to the grand old Nixon party.

You have been of very little help to your liberal Democrats.

Please read the enclosed and get wise.

Yours truly,

BEN L. POWERS.

Mr. President, the letter encloses an article from an Atlanta newspaper, the Atlanta Journal-Constitution, reporting on the results of a poll with respect to the Cambodian expansion of the war.

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

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

JOURNAL-CONSTITUTION SURVEY FAVORS CAMBODIA OFFENSIVE: 83 PERCENT OF 4,552 AGREE—DISSENT HEAVIEST IN METRO AREA

President Nixon's decision to send American troops into Cambodia is approved overwhelmingly by those who responded to an Atlanta Journal-Constitution poll.

Of more than 4,500 responses, 83 per cent favored the President's action and only 17 per cent were opposed.

The questionnaire, published in last Sunday's Journal-Constitution, drew 4,552 answers from 140 of Georgia's 159 counties and from other states. Of those, 3,765 supported the President's decision and 787 were opposed.

Greatest support for Nixon's action came from those counties outside metro Atlanta, with 2,042 indicating approval, 389 disapproval. In metro Atlanta, the vote was 1,533 for and 354 against the move.

The 8th Congressional District in Southeast Georgia, voted 268-25 in favor of the Cambodian thrust.

Many of those who responded to the question wrote additional comments on the ballot or on letters attached to the ballot. Several told of sons or husbands fighting in Vietnam or Cambodia.

"I had much rather have them fight over there than in our own country," one woman wrote, adding, "My husband is over there for the third time and my son for the first time."

Another said, "My son is there, so we are vitally interested. Why isn't everyone else?" And another, also supporting the President, wrote the poignant comment: "My son is missing in action."

A young Atlanta woman, opposing the Cambodian action, wrote:

"How could I approve of it? My husband will be going to Vietnam next month. He's only 19 years old and I am 20. I have plenty of bills, I have an allergy condition that does not allow me to work and I am pregnant for the first time and we've only been married a year."

Many of those who returned the ballot took the opportunity to express strong disapproval of student demonstrations on college campuses and support of Vice President Spiro T. Agnew.

The ballot was published only in those papers delivered to regular subscribers of The Atlanta Journal-Constitution to assure that the results would accurately reflect the feeling of regular readers.

Mr. FULBRIGHT. Mr. President, I also received a most eloquent letter from a housewife and mother. This letter is from New Jersey.

I would like to read it. It is very brief. I read it because I think it expresses more eloquently than I can a point of view with respect to war.

The letter reads:

ELBERON, N.J.,

May 20, 1970.

DEAR MR. FULBRIGHT: I am writing you to express my opposition to the Nixon Administration's involvement in Vietnam and Cambodia. I support your views and believe you speak for the majority of the people. I can assure you that we mothers stand behind you.

As a citizen of the United States and as a mother of two children, I raise my voice in opposition to this unconstitutional war. I do not believe the U.S. should be trying in vain to help a country that will not help itself. Why should our Sons, Husbands, and Fathers die for so unjust a cause?

To ask a mother to send off to war the Son (sometimes scarcely more than a child) she has loved, guided, protected and cared for through sickness is to ask her to tear out her very heart. It is to ask her to cast aside her hopes and dreams as though ashes instead of a treasure. Is this war in Southeast Asia worth it? I do not think so.

This war is destroying us by effectively dividing our country and in the meantime all our overwhelming problems at home go uncared for. It is like a garden that isn't cared for. First one weed sprouts, and then it becomes entangled with weeds. We should make the Nixon Administration see that we are for peace and they would surely have to end it.

Then, we should get on with the overwhelming tasks of straightening up our homeland. We should help our own poor and starving people. We should make it a place where both black and white could live in peace. We should clean up our environment. We should seek to educate our young people of the dangers of drug abuse and crack down on the dope pushers. All of these problems outweigh in importance the war being fought in Southeast Asia. Yet, they all go unheeded because our tax dollars go into funding a war the majority of us neither chose or believe in.

As for purposes of security, I believe we should make it strong from within by making it a place we can believe in again. We should restore our basic American ideals.

We should let other countries help themselves and take care of just one country—ours. I believe in the policy of isolationism. Make our country strong by having all the people believing in it again and no country will want to start a war with us.

My Son is only seven and already I fear for him. In a short while, he could be called to go to war. This dear child, this cherished gift of God. If the ones who smugly declare war realized the lives that are ruined and wasted by their acts; if they were the ones who had to fight on the frontline in Vietnam and Cambodia—I daresay there would be no war. If the hand that rocked the cradle really did rule the world, there would be no war.

For the following specific reasons, I am in opposition to the war:

1. I protest the violation of the Constitution by the President, Richard M. Nixon, who undertook an act of war without formally consulting the elected representatives of the people.

2. I support those critics of the Administration who seek to bring an immediate end to the rapidly expanding war in Indo-China.

3. In memory of those who died in vain, both in the jungles of Southeast Asia and on college campuses, and because the Nixon Administration holds pride in more value than human life and democracy.

I urge you to continue your attack on this tragic war. As a mother of two very dear

children and as a patriotic American, I support you and bid you Godspeed.

Respectfully yours,

Mrs. WM. C. PAULSEN, Jr.,

A Mother for Peace.

Mr. President, I think this lady, whoever she is—I do not know her—has expressed a view that I believe to be uppermost in the minds of a great many women in this country and, no doubt, a great many men as well.

The PRESIDING OFFICER. Is there further morning business?

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

SENATE JOINT RESOLUTION 203— INTRODUCTION OF SENATE JOINT RESOLUTION ON WAGE AND PRICE STABILITY

Mr. JAVITS. Mr. President, on May 19 I spoke on the floor of the Senate of my support for the income policy proposals of Dr. Arthur Burns.

A new and very alarming rise in the Consumer Price Index just announced this week makes Dr. Burns' proposal even more pressing. We see before us a 6-percent annual increase in the BLS cost of living which is very alarming for the country, and we have to consider some restraints upon unlimited wage and price increases. This country may have to go to controls. It does not like that, and I do not like that. But we must not allow ourselves to be injured as a nation by our sheer inability to control our economic situation in the face of war. We have been fighting this war without in any way recognizing economically that it is a war.

At the very least it is my belief that the recommendations made by the minority of the Joint Economic Committee in its report this spring should be put into effect.

Mr. President, it is for that purpose that I introduce a joint resolution, which I send to the desk for appropriate reference on behalf of myself, the Senator from Iowa (Mr. MILLER), and the Senator from Idaho (Mr. JORDAN).

The PRESIDING OFFICER (Mr. SPONG). The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 203) on wage and price stability, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. JAVITS. Mr. President, the recommendation we made states that—

The administration * * * announce the inflationary implications of unusually significant wage and price decisions. The Council of Economic Advisers should calculate and make public how much each price increase adds to the wholesale or consumer price index, and indicate other prices which would be adversely affected by such an increase. It should publish specific arguments why a

particular industry feels it necessary to raise its prices, and suggest Government studies of situations where particular bottlenecks or unusual supply and demand conditions exist.

Similarly, on the wage front, the Council should publish the price implications of unusual collective bargaining agreements, including the timing of the wage increases under different assumptions, the productivity experience of workers in the industry, the industry's profit situation and whether industry officials feel the increases will necessitate price increases.

These activities should not be considered the foundation for more detailed intervention by the Government in individual wage and price decisions. However, we see no harm in opening up price and wage decisions which significantly affect the economy to the eyes of the public. Public scrutiny could well have a salutary effect in discouraging price and wage increases that would have inflationary consequences.

It is worth reiterating that we say these activities should not be considered the foundation for more detailed intervention by the Government in individual and wage-price decisions. However, we see no harm in opening up price and wage decisions which significantly affect the economy to the eyes of the public. Public scrutiny could well have a salutary effect in discouraging wage and price increases that would have inflationary consequences.

As the ranking minority member of the Joint Economic Committee, and as it became clear to me a few months ago that the administration's plans to deal with the economy was not bringing prices down as scheduled or stabilizing the existing price and wage structure, I wrote a letter to the chairman of the Council of Economic Advisers, Dr. Paul W. McCracken on April 27, 1970, urging that the recommendations of the minority which I have read to be implemented.

I ask unanimous consent that my letter to Dr. McCracken be made a part of the RECORD.

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

APRIL 27, 1970.

HON. PAUL W. MCCrackEN,
Chairman, Council of Economic Advisers,
Executive Office Building, Washington,
D.C.

DEAR DR. MCCrackEN: The relentless rise in the consumer price index must be a matter of concern for all of us, coming as it does at a time when unemployment is also rising and corporations are showing a marked earnings squeeze. It is particularly disturbing to find that prices for items of great consequence to the poor and to fixed income families—housing, public transportation and medical services—have been rising significantly faster than the consumer price index as a whole. It is also disturbing to note that the index will also affect the price of government-purchased goods and services, with all that this implies for the precarious Federal budget surplus.

I am writing, therefore, to ask for your comments on the proposal—which was adopted unanimously by the Republicans of the Joint Economic Committee and reflects the input of a caucus of Senate Republicans—that the Council of Economic Advisers publish the implications of major wage and price decisions.

The proposal recommends that the Council indicate how significant price decisions, up or down, in major industries could be expected

to influence overall consumer and wholesale price levels, and how they might affect other prices in related industries. The Council would also give the arguments made by particular companies or industries why price increases made by them are deemed necessary.

Similarly, the Council would indicate the implications of collective bargaining proposals in significant industries. This would include calculations of the magnitude of these increases under different timing assumptions, the productivity experience in the industry, and whether industry officials believe such increases would bring about price increases.

These activities would be limited to informing the public, and would not involve the Administration taking a stand for or against any particular wage or price behavior.

I sincerely believe that an informed public debate resulting from such information, which the Council is in a position to publish, would be a significant step in the Administration's anti-inflationary campaign. I also believe that the vast force of public opinion has not been sufficiently mobilized in this anti-inflation campaign to date.

Sincerely,

JACOB K. JAVITS.

THE PRESIDING OFFICER. The 3 minutes of the Senator from New York have expired.

MR. JAVITS. Mr. President, I ask unanimous consent to proceed for an additional 3 minutes.

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

MR. JAVITS. Yesterday, in a letter dated May 14, I received Dr. McCracken's reply. For the information of Senators, I ask unanimous consent that it be included in the RECORD.

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

THE CHAIRMAN OF THE
COUNCIL OF ECONOMIC ADVISERS,
Washington, May 14, 1970.

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

DEAR SENATOR JAVITS: This is in reply to your letter of April 27 asking for the Council's comments on the recommendations included in the minority views of the Joint Economic Committee report on the subject of wage and price policy.

The recommendation to which you refer proposes that the Council of Economic Advisers report publicly on "the inflationary implications of unusually significant wage and price decisions." We have, of course, been aware of this proposal and have given it very careful consideration. For a number of reasons, however, we do not believe that action along these lines would be an effective way of restraining inflationary pressures.

The recommendation that the Council publicly assess the implications of important wage and price decisions is little different from the guidepost approach used until 1965 or 1966. There have been, of course, numerous efforts in the past few years to provide some form of legislative sanction for the review of important price and wage decisions. The latest of these was introduced last August and would provide for annual review of the guideposts by the Council and for the establishment of a Price-Wage Stabilization Board which would assess the consistency of important price and wage decisions with such guideposts. The Board would in turn publicize the results of its findings regarding any "price or wage behavior which does in fact threaten national economic stability" together with a recommendation for action by the President, Congress, or the parties

concerned. In our testimony before the Subcommittee on Executive and Legislative Reorganization of the House Committee on Government Operations on September 23, 1969, we expressed our objections to this legislation both as regards the policy it sought to write into law and the manner in which it proposed to implement that policy. A copy of the statement is attached.

The recommendation in the Minority Report differs from the Reuss Bill in that it does not refer specifically to any formal guidepost and that it leaves the job of assessment in the hands of the Council rather than of an independent agency. The distinction is, however, one of form rather than of substance. In effect, the Council is being asked to resume monitoring private price and wage actions in much the same way as under the previous Administration, except that there would be no specific reference to guideposts as such. As a practical matter, however, there would have to be some rules by which the inflationary implications of any price or wage action is measured, whether or not it be called a guidepost.

The recommendation seeks to distinguish between "detailed intervention by the Government in individual wage and price decisions" and "opening up price and wage decisions which significantly affect the economy to the eyes of the public." It is difficult to detect any real difference in this apparent distinction. In the great majority of cases in which the previous Council and Administration intervened in price decisions, the only sanction was precisely public exposure and criticism. It is true that there were also numerous direct approaches to business executives or labor leaders preceding or accompanying the public expression of disapproval and that at times public confrontation was thereby avoided. Back of any such direct approach, however, the real threat was always that of bringing adverse public opinion to bear. The guidepost approach backed by the sanction of public disapprobation probably did have some effect at first, but this decreased rapidly as time went on and inflationary pressures became more severe. And in the crucial area of wages, in fact, virtually all efforts at intervention were abandoned after the airline mechanics' strike in 1966. The result in that case made it evident that any form of intervention by Government, including efforts to mobilize public opinion, was more likely to be counterproductive than helpful. Subsequently, there was strong public criticism of the excessive rate of increases in construction wages but this, too, proved futile.

Despite the clear inability to exert any meaningful influence on wages, and hence upon a major determinant of costs, the past Administration did continue to comment on and intervene in various price decisions. These efforts may have had some effect, decreasing as time went on, in a limited number of highly "visible" cases, such as steel, copper, aluminum and automobiles, that were seriously concerned about their public image. These industries, however, were exclusively those in which because of their structure a few leading concerns enjoyed a significant degree of discretion over their short-run price policies. Even in these, rising costs increasingly circumscribed the scope of discretionary absorption.

In the majority of American industries, however, neither direct Government intervention nor public disapprobation could be expected to exert any measurable influence over price trends either because competition was sufficiently vigorous to deny individual firms any significant discretion over short-run pricing policies, or because they were less concerned over their public image, or both. Review of the record indicates that no success was achieved, or could have been expected, in moderating price advances in such major industries as textiles, apparel, most

food products and the like. The results of this policy were, therefore, not only discriminatory and inequitable, but also sharply limited in terms of potential area of influence.

As you correctly pointed out, moreover, the prices of such items as housing, public transportation, and medical services have been rising distinctly faster than the consumer price index as a whole. Increases have also been more rapid than the average for such items as restaurant meals, mortgage interest, and property taxes and insurance. Unfortunately these are precisely the kinds of items which would be least responsive to an approach of the kind recommended. Higher costs for housing, for example, reflect in large part the exceptionally rapid advance in construction wages which, as pointed out above, have persisted and accelerated in the face of strong direct or implied criticism by both this and the previous Administration. Finance, insurance, and taxes account for about 9 percent of the weight of the consumer price index and have contributed over one-third of the overall advance in the index over the past few years. None of the components of this group—interest rates, insurance premiums or local taxes—would be affected in any significant way by public analysis of their implications. Nor is it likely that increases in public transportation, such as the recent 50 percent boost in fares in New York City, could have been averted or moderated by any analysis which the Council could conduct. There has been no dearth of public criticism of the continuing rapid advance in the cost of medical services but there is no evidence that such criticism has had any restraining effect on either physicians' fees or hospital charges. These are all areas in which impersonal market forces exert so dominant an influence on price behavior that even the strongest manifestation of public disapproval would be virtually meaningless.

Finally, I must point out that the recommendation would impose an almost impossible burden on the Council. Objective assessment of either the justification of a price or wage increase or of its inflationary implications is an extremely difficult task. Careful, objective analysis in any important case would take months and a much larger staff than is available. Anything less than such thorough-going assessment could give rise to serious inequity.

In view of these circumstances, we have reservations about the probable effectiveness of this Minority Report recommendation. And in any case this would be no substitute for proper fiscal and monetary policies.

Sincerely,

PAUL W. McCracken.

Mr. JAVITS. Mr. President, in the reply, essentially Dr. McCracken referred to the position of the administration that it does not like "guideposts," which it characterizes as the policy which prevailed in 1965 and 1966—that is, criteria for wage and price increases. In the wage field, it will be remembered that this criterion was 3.2 percent increase per year. The letter also reiterated the fact that the administration does not like the "guideposts approach" because it thought they were not productive and that they were not likely to be complied with—the main theory being that the sanction of public disapproval would not be effective as to certain important aspects of the economy.

For example, one aspect mentioned in the letter was finance, insurance, and taxes, which account for about 9 percent of the weight of the Consumer Price Index, which contributed about one-third

of the overall advance in the index over the past few years.

Also, it was pointed out that certain services like medical services, in which there had been extraordinary price increases, would not yield to this type of public scrutiny because it was divided in the hands of so many thousands upon thousands of people and institutions which charge the fees—hospitals, doctors, and other health personnel.

It gave other reasons, for example, that many of these increases, like the increase in the New York subway fare, were governmental and were subjected to very considerable scrutiny anyhow.

But what Dr. McCracken's suggestion failed to do was offer an alternative. The fact is that public disapprobation can have a restraining quality, even by the admission of his letter, on a large part of the economy, and because it will have a restraining influence on that part of the economy, it will tend to restrain other prices which it cannot affect as directly.

The main point is that we have been offered no viable alternative at the present time except to continue present policies, which have proven to be very unsatisfactory and which threaten our economy with grave danger. Hence, in order at least to try a new policy which would put a stop to the deteriorating wage and price spiral infecting the whole economy, I have offered this joint resolution, with the cosponsorship of two other members of the minority on the Joint Economic Committee, which requires the Council of Economic Advisers to publish:

One, the implications of unusually significant price decisions made or proposed in major industries during the preceding 2 weeks.

Two, the implications of unusually significant collective bargaining agreements entered into by major industries during the preceding 2 weeks.

Three, such other data on price and wage developments as the Council deems beneficial to the public interest.

I ask unanimous consent that the joint resolution be printed in the RECORD at this point as a part of my remarks.

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

S.J. RES. 203

Senate Joint Resolution on Wage and Price Stability

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 significant 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 Advisors is hereby requested to publish, every two weeks, 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 two weeks;

(2) the implications of unusually significant collective bargaining agreements entered into in major industries during the preceding two weeks; 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 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.

Mr. JAVITS. Mr. President, the enactment of this joint resolution could serve as a constructive first step toward the implementation of Dr. Burns' "incomes policy" and could have a significant effect on the inflationary price spiral that continues to erode the purchasing power of the dollar, drive interest rates upwards, and contributes to the continuing serious deterioration in our international balance of payments.

I shall, on Monday, undertake to make an even more detailed analysis of the economic situation as it relates to the Vietnam war, but I call attention to the fact that all the people of the United States have a right to ask, when under their very noses they see such a serious deterioration of the American economic system, What are we gentlemen in Congress going to do about it? I believe also that it is an obligation of the administration. It is for that reason that I have offered this joint resolution, with my colleagues, as a first step toward doing something about it.

ORDER OF BUSINESS—UNANIMOUS-CONSENT AGREEMENT

The PRESIDING OFFICER. The Senator from South Carolina is recognized. Mr. BYRD of West Virginia. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. THURMOND. I yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, for the information of the Senate, what will be the pending question before the Senate when morning business is closed?

The PRESIDING OFFICER (Mr. SPONG). The question before the Senate is the amendment of the Senator from Kentucky (Mr. COOPER) and the Senator from Idaho (Mr. CHURCH) to H.R. 15628, amendment No. 653.

Mr. BYRD of West Virginia. I thank the able Presiding Officer.

Mr. GRIFFIN. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield. Mr. GRIFFIN. Is that the pending

business, or a proposed amendment to the amendment?

Mr. SCOTT. Mr. President, this is, as I understand it, a revision of an earlier amendment offered by the same Senators, and is, therefore, a revision or substitute of the prior Church-Cooper amendment. Is it not?

Mr. GRIFFIN. Mr. President, we should not use those words. It is a proposed amendment to the committee amendment. Is that correct?

The PRESIDING OFFICER. The Senator from Michigan is correct.

Mr. GRIFFIN. It is not a substitute; it is a proposed amendment to the committee amendment—a perfecting amendment?

The PRESIDING OFFICER. It is a perfecting amendment in the nature of a substitute for part of the amendment of the committee.

Mr. GRIFFIN. Mr. President, if I may pose a parliamentary inquiry—

The PRESIDING OFFICER. The Senator will state the inquiry.

Mr. GRIFFIN. If the proposed perfecting amendment in the nature of a substitute to part of the committee amendment were to be adopted, that would preclude proposing amendments to other portions of the Church-Cooper amendment?

The PRESIDING OFFICER. No, it would not to other portions that have not been amended.

Mr. GRIFFIN. So that there would be eight lines, which might sometimes be referred to as preamble language, that would not then be subject to further amendment. Is that correct?

The PRESIDING OFFICER. A specific amendment relating only to those eight lines would not be in order.

Mr. GRIFFIN. Mr. President, if I may, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GRIFFIN. If a broader substitute were offered later, which included that language but went beyond it, that could then make changes in the language of that proposed amendment; would that be correct?

The PRESIDING OFFICER. Subject to review by the Chair at the time the proposal is offered, the Chair would say that it is possible to do what the Senator has stated.

Mr. BYRD of West Virginia. Mr. President, by the verbiage "subject to the review by the Chair" the Chair merely intends to be sure that such a later amendment does not amend language in the preamble that has already been amended by the pending perfecting amendment unless an additional change of substance is intended to be made at the same time in a broader area than that of the preamble itself. Is that correct?

The PRESIDING OFFICER. Only.

Mr. SCOTT. Only.

The PRESIDING OFFICER. And subject to the review that the Chair would give to the submission of any proposal.

Mr. BYRD of West Virginia. Mr. President, I ask that the clerk again read the amendment last pending before the Senate.

The PRESIDING OFFICER. Subject to the fact that we are now, as the Senator from West Virginia knows, transacting routine morning business, the clerk will now report what was the business of the Senate prior to our going back into the morning hour, and will again become the business of the Senate when the morning hour is ended.

The LEGISLATIVE CLERK. The amendment by Mr. COOPER and other Senators, identified as amendment No. 653, as follows:

Beginning on page 4, line 24, strike all to and including line 6, page 5, and insert in lieu thereof the following:

"SEC. 47. LIMITATIONS ON UNITED STATES INVOLVEMENT IN CAMBODIA.—In concert with the declared objectives of the President of the United States to avoid the involvement of the United States in Cambodia after July 1, 1970, and to expedite the withdrawal of American forces from Cambodia, it is hereby provided that unless specifically authorized by law hereafter enacted no funds authorized or appropriated pursuant to this Act or any other law may be expended after July 1, 1970, for the purposes of—"

Mr. BYRD of West Virginia. Mr. President, does the language which has just been read by the clerk constitute the pending question before the Senate when morning business is concluded?

The PRESIDING OFFICER. When the unfinished business is laid before the Senate.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the additional period for the transaction of routine morning business be closed.

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

ORDER FOR ADJOURNMENT FROM MONDAY, MAY 25, UNTIL 10 A.M. ON TUESDAY, MAY 26, 1970

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business on Monday next, it stand in adjournment until 10 o'clock on Tuesday morning next.

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

AMENDMENT OF THE FOREIGN MILITARY SALES ACT

Mr. BYRD of West Virginia. I ask unanimous consent that the Senate return to the consideration of the unfinished business.

There being no objection, the Senate resumed the consideration of the bill (H.R. 15628) to amend the Foreign Military Sales Act.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the vote on the pending question occur on Tuesday next at 2 p.m.

Mr. CRANSTON. Mr. President, reserving the right to object—

Mr. BYRD of West Virginia. Mr. President, may I say that this has been cleared with all interested parties.

Mr. CRANSTON. I do not object.

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

Mr. SCOTT. Mr. President, may I be recognized?

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SCOTT. If there is a question as to the division of time, we can take that up on Monday, or as we meet on Tuesday. I say this so there will be no assumption that we have overlooked the question of dividing time equally. It is simply left open to be determined later.

The PRESIDING OFFICER. The Senator from Pennsylvania is correct.

Mr. BYRD of West Virginia. Mr. President, I thank the able Senator from South Carolina for yielding.

The unanimous consent agreement later reduced to writing is as follows:

Ordered, That the Senate proceed to vote at 2 p.m. on Tuesday, May 26, 1970 on the pending amendment (No. 653) by Senators COOPER, CHURCH, MANSFIELD, and AIKEN.

A LETTER FROM CAMBODIA

Mr. THURMOND. Mr. President, there is no doubt that a large portion of our youth are behind the President. The mail from our fighting men in Vietnam and Cambodia strongly supports our Commander in Chief. I am confident our combat men are disgusted with those in our country who give aid and comfort to the enemy.

It is a pleasure for me to invite the attention of the Senate to a recent letter received from a South Carolinian in Cambodia. This letter is from Robert E. Mimms, Jr. of Florence, S.C. He is with the 128th Assault Helicopter Company. I would like to read a portion of his letter. He states:

I would like to express my approval of President Nixon's decision concerning Cambodia. It is easy for someone in the United States to condemn the recent turn of events, but here we find the situation different. I am with an assault helicopter company, and, thus, am afforded a first-hand view of most of the situation. Overall, just being able to go into Cambodia has given a great many people a new sense of purpose over here. It seems that we are no longer sitting on our hands waiting for them to decide the moves. More so, now we are finally on the move. It helps my mind. Also, militarily, we are delivering blows which may prove disastrous for our enemy.

My only regret concerning the entire situation is the demonstrations reported taking place in the States. I feel they will, to a large degree, nullify our efforts in this drive. I think even more so, now, that the dissent will spur the communists into continuing their aggression even longer.

Mr. President, our Nation can be thankful for such dedicated and patriotic soldiers as Robert Mimms. I am proud to count him among the many others from South Carolina who support our Commander in Chief.

FIFTY TELEGRAMS ON CAMBODIA

Mr. THURMOND. Mr. President, it is a pleasure to invite the attention of the Senate to the tremendous amount of mail I have received from all over the

country in support of President Nixon's action to destroy the North Vietnamese sanctuaries in Cambodia.

Before leaving my office to come to the floor, I picked up a stack of telegrams which support the President. I have here in my hand about 50 telegrams which represent hundreds of individual people and many organizations. I am proud to say that most of these are from South Carolina.

Mr. President, I would like to read one of these telegrams and place the remainder in the RECORD.

HON. STROM THURMOND,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR THURMOND: Please be advised that a group of seven concerned citizens of Spartanburg Socar in a near spontaneous one day effort this date have obtained 1,387 signatures in support of the following petition in response of the end the war, television program viewed nationwide the evening of May 12, 1970, and the proposed end the war amendment we the undersigned would like to express our support for the President's Cambodian Vietnam policy. We too would like to see the war end; however our support of this policy is based on the belief that our President is motivated by the same single desire that stirs us all, that is, to bring peace to our world. Additionally, we feel that decisions of this magnitude, the decision to eliminate the enemy's sanctuaries, are best made by those having full access to all available information and those who possess the ability to weigh and evaluate it in a rational and objective manner. These issues cannot be resolved by mobs in the street over reaction caused by emotionalism can only weaken our position both at home and abroad. We support not blindly but with good reason the man elected to our highest office. Our petitions are still in circulation which we do not have the ability to recall due to the limited response time. However, we believe they too are being received favorably. We are placing in the mail tomorrow signed petitions documenting the grand total referred to above we earnestly entreat you to consider this response by your constituents.

Sincerely,

Joe G. Garrett, David G. Sherer,
Charles J. Snook, James H. R. Brady,
Ray C. Rogers, Jr., Milton B.
Maness, Troy F. Stokes.

Mr. President, I ask unanimous consent to have these telegrams printed at this point in the RECORD.

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

GEORGETOWN, S.C.

Senator STROM THURMOND,
Washington, D.C.:

We support the policies our President is following to clear up the situation in Vietnam. Request that you do the same.

Thank you.

Retired Air Force: Col. David F. Blackwell, Col. and Mrs. Wm. C. Warren, Maj. S. E. McFadden, Lt. Col. and Mrs. L. B. Thompson, Mr. and Mrs. Therom Hines.

Mr. and Mrs. H. G. Deer, Mrs. H. W. Hiott, Mrs. J. H. Hope, Mr. and Mrs. W. W. Doar, Mary C. Bruerton, Mrs. O. L. Bruerton, Mr. and Mrs. Linwood Altman.

Mrs. E. B. Altman, Mr. and Mrs. Frank Marlow, Mr. and Mrs. Jim Fultono, Mr. and Mrs. Leland Gantt, Mr. and Mrs. Frank Stacey, Mr. and Mrs. George Prince, Mrs. Lucinda Grate, Mrs. Barbara Reese.

Mrs. A. W. Hough, Mrs. Mary Cooler, Mr. and Mrs. A. H. Lachicotte, Mr. and Mrs. H. S. Collins, Mrs. Emogene Ennis, Mr. and Mrs. Fred Packham, Mr. and Mrs. B. G. Fields.

Mr. and Mrs. J. H. Clyburn, Mrs. St. Julian Lachicotte, Harry Watson, Mrs. Wm. McCall, Mrs. Ruby Hill, Mrs. Shelor Murrell, Miss Alma Hull.

Mr. and Mrs. Jim Powell, Mr. and Mrs. Don Richardson, Mr. and Mrs. R. C. Darsey, Mr. and Mrs. Glenn Miller, Mr. and Mrs. Charlie Zemp, Mrs. Lucine Marlow.

GREENVILLE, S.C.

HON. STROM THURMOND,
U.S. Senate,
Washington, D.C.

I do not approve the amendment that Goodell, Church, Hatfield, McGovern, Hughes will put before the House to curb President Nixon's plan to bring the war in Vietnam to a close as early as possible. He has the facts and interest of the U.S. uppermost in his mind and heart, and I'm sure all his decisions are arrived at from a long and prayerful search for the best for the United States and the troops without any thought of his political career. I believe in our President and will stand up for him against all others.

Mrs. HELEN J. DODDRIDGE.

SPARTANBURG, S.C.

Senator THURMOND,
Washington, D.C.

Being in Omaha Beach Invasion and father of three boys one in Thailand and another in college, I wholeheartedly approve President's action of late. Only problem, it should have been earlier; and news media is helping cause more uprising beginning with bias news reporting on civil rights against South for past ten years.

FRANK O. EZELL,
(One of silent majority).

MAY 1, 1970.

HON. J. STROM THURMOND,
U.S. Senate,
Washington, D.C.

(This telegram was sent to President Nixon.)

Mr. PRESIDENT: The undersigned being in full agreement with your action on the Cambodian situation wish to congratulate you for courage you have shown on this long overdue decision.

Vernon Smith, R. Infinger, J. Feathers,
W. Parks, M. Nettles, C. Carroll, C. Mobley, H. Ray, H. Hux, D. Merritt.

R. Aderson, P. Doss, S. Wolfe, J. Johnston, J. Carroll, E. Smith, E. Harris, S. Woodson, E. Dubose, D. Hartman.

J. Muckenfuss, E. Losley, P. Hookom, R. Babson, T. Dubose, N. Stevensen, B. Blocker, E. Felkel, J. McCormick.

COLUMBIA, S.C., May 5, 1970.

Senator STROM THURMOND,
U.S. Senate,
Washington, D.C.:

Urge your strong support of President Nixon on Viet Nam and Cambodia policy. Urge that you do all in your power to stifle Senators Fulbright and Kennedy.

C. GUY CASTLES, Jr., M.D.

FLORENCE, S.C., May 2, 1970.

Senator STROM THURMOND,
Senate Office Building,
Washington, D.C.:

Never have so few confused so many and never have so few positively accentuated the negative.

With the news media, the new left, the liberals and democrats it is rule or ruin.

I applaud your courageous support of our commander in chief. Sincerely,

JULIAN D. DUSENBURY, and family.

ROCK HILL, S.C.

HON. STROM THURMOND,
Senate Office Building,
Washington, D.C.:

Please support the President in Cambodia.
CHARLES BOLLIN.

ROCK HILL, S.C., May 18, 1970.

HON. STROM C. THURMOND,
U.S. Senate,
Washington, D.C.

DEAR SENATOR THURMOND: As a commercial traveler over this State a majority of the contacts I make are back of President Nixon and his stand on Cambodia 100%. We urge that you give our position consideration. Many of us ask the question "Where were these loudmouth advisers when the preceding Presidents were in office?"

Respectfully,

C. STEVE JOHNSON.

COLUMBIA, S.C.

Senator STROM THURMOND,
Senate Office Building,
Washington, D.C.:

In a unanimous vote we express our gratitude for your complete support of President Nixon's Cambodian policy to shorten the Vietnam war.

FLEET RESERVE ASSOCIATION UNIT No. 202.

ORANGEBURG, S.C.

Senator STROM THURMOND,
Senate Office Building,
Washington, D.C.:

We are against the amendment to limit the President's prosecutions of the war. We support the war policy of President Nixon and have confidence in the judgment of him and his advisers. We hope and think that you will actively oppose the planned move to limit his capacity to prosecute his plans in Southeast Asia.

WILLIAM GUNN and Mrs. NAOMI GUNN.

COLUMBIA, S.C.

Senator STROM THURMOND,
Senate Office Building,
Washington, D.C.:

We the ladies auxiliary of the VFW department of South Carolina support the President's policy toward the war in Vietnam

ANN THOMAS, President.

COLUMBIA, S.C.

Senator STROM THURMOND,
Senate Office Building,
Washington, D.C.:

We have just viewed the telecast by the five Senators who are for the amendment to force the President to end the war. We strongly urge you to ask those five Senators what they intend to do and where they intend to relocate all of the people of South Viet Nam, Cambodia, Laos. We suggest these dislocated persons be sent to the perspective States of those Senators voting to hamstring the President's efforts to peacefully and honorably end this war in Viet Nam. We strongly urge you and beg of you to back the President of the United States in these efforts.

ACIE MERRILL,
Town and County Builders.
H. M. MIKE SMITH,
Tri County Builders.

MIAMI, FLA., May 11, 1970.

Senator STROM THURMOND,
Washington, D.C.:

Attention all Senators. Please note the following message: Bravo for your stand in Cambodia and the campus riots. Indications here are that even the Democrats are with you. I do not believe that the U.S. can clean this mess until we follow your plan and I suggest even more harsh terms to propose to the Communist in Moscow, Peking, Viet-

nam and last but the closest Cuba. We must be aggressive in our fight against Communism including the Communist inspired riots on campus. The penalty for violent riots must be expulsion immediately from school and then jail. A strong stand must also be taken with Castro, as he is no more than a puppet for Moscow and will infiltrate all Latin countries as we have seen.

May God be with you and give you strength and foresight in future crises against communism.

DON L. KETCHAM.

EGLIN AFB, FLA., May 20, 1970.

Senator STROM THURMOND,
Washington, D.C.:

Thinking and concerned young people support Nixon and his Cambodian policies.

GENE and DONNA BROOKER.

CLEMSON, S.C., May 20, 1970.

Senator STROM THURMOND,
Senate Office Building,
Washington, D.C.:

You have my support in opposing the Church-Cooper amendment and backing President Nixon's action.

BERNARD E. DUNKLE.

COLUMBIA, S.C., May 21, 1970.

STROM THURMOND,
Washington, D.C.:

We wish to commend you on your backing of the President's policies in Vietnam and our position in Cambodia. You have the strong support of our members both individually and as an organization.

CHARLOTTE S. DODD,
President, Ladies Auxiliary to the VFW,
John W. Parker Post 8130.

COLUMBIA, S.C.

Senator STROM THURMOND,
U.S. Senate Building,
Washington, D.C.:

I support president Nixon one hundred percent concerning his deployment of troops into Cambodia.

RUSSELL MOON.

CHARLESTON S.C., May 5, 1970.

Senator STROM THURMOND,
Washington, D.C.:

Am completely in agreement with your support of president's decision to hasten end of war by offensive action. Although late, we feel that it will be effective and bring some peace to America.

LUTHER HAYNIE.

HUNTSVILLE, ALA.,
May 15, 1970.

Senator THURMOND,
U.S. Senate,
Washington, D.C.:

I am behind my Commander in Chief's actions. I appreciate your support.

Sgt. IRA W. WILCHER,
U.S. Air Force, retired, South Carolinian
from Charleston and an Alabamian
also.

NORTH ANDOVER, MASS.

Senator THURMOND,
Washington, D.C.:

Cambodia campus strikes and Wall Street do not match the disarray in Senate. Church-Cooper shames the Republic and betrays the office of the President. In God's name close ranks and if you value freedom, endure the fatigue of supporting it.

HENRY G. ARMITAGE, M.D.

LYNFIELD, MASS.

Senator STROM THURMOND,
Washington, D.C.:

Thank you for supporting our President. We are with you all the way.

Mr. and Mrs. NELSON J. McDERMOTT.

GREENVILLE, S.C.,
May 1, 1970.

Senator J. STROM THURMOND,
Senate Office Building,
Washington, D.C.:

Urge support of President's action to remove sanctuaries in Cambodia, necessary to protect our troops. Political motives must now be laid aside. Action taken is in line with legion foreign policy statement at national convention 1969.

E. ROY STONE, Jr.

COLUMBIA, S.C.,
April 30, 1970.

Senator STROM THURMOND,
Washington, D.C.:

We don't fully agree but understand it must be done. We support the President's decision.

Mr. and Mrs. W. R. ROURK.

PELZER, S.C.,
May 4, 1970.

Senator STROM THURMOND,
Washington, D.C.:

My wife and I firmly support the decision of President Nixon on the Cambodia operation.

Mr. and Mrs. DOUGLAS M. COX.

AUGUSTA, GA.

Senator STROM THURMOND,
Senate Office Building,
Washington, D.C.:

At last a man of action. Politics no, Nixon yes.

Mr. and Mrs. PAT M. TIDWELL.

CHARLESTON, S.C.,
May 1, 1970.

Hon. STROM THURMOND,
Senate of the United States,
Washington, D.C.:

We support Nixon's decision tonight—hope you will.

NELL and WALTER CHASTAIN.

GREENVILLE, S.C.,
April 31, 1970.

Senator STROM THURMOND,
U.S. Senate,
Washington, D.C.:

Support Nixon.

KIRK R. CRAIG.

GREENVILLE, S.C.,
May 1, 1970.

Senator STROM THURMOND,
Senate Office Building,
Washington, D.C.:

Following copy telegram sent to President Nixon, "Your decision regarding Cambodia has our wholehearted support. It was an excellent presentation and we are with you 100 percent."

Mr. and Mrs. LEONARD M. WILSON.

AUGUSTA, GA.,
May 1, 1970.

Senator STROM THURMOND,
Washington, D.C.:

My wife and I as well as our friends are always your loyal supporters.

JOHN C. BEARD, Jr.

BURTON, S.C.

Senator STROM THURMOND,
U.S. Senate,
Washington, D.C.:

We are backing the President and proud of his courage.

THOROLF and JOE HANNEVIG.

CLEMSON UNIVERSITY,
Greenville, S.C., May 9, 1970.

Senator STROM THURMOND,
Washington, D.C.:

As a concerned American as a taxpayer and as a university professor you have my complete confidence and unqualified support.

RAY GRAY.

CONWAY, S.C.

Re in regards CBS commentary
Senator STROM THURMOND,
U.S. Senate,
Washington, D.C.:

Here we stand in Cambodia, interview Mr. Maxwell D. Taylor and Mr. James Gavin both former generals implicated an unfavorable position with respect President Nixon decision to enter Cambodia. I support the entering of Laos in addition to Cambodia if necessary. Supply lines are vital and must be destroyed at their source. I support and encourage your support to end this conflict, further I support:

First, unrestricted bombing of north by conventional methods.

Second, the use of adequate U.S. support forces as long as necessary.

Third, cessation of useless peace negotiations in Paris.

Fourth, adequate training and use of ARVN forces.

GLENN WOODY.

CHARLESTON, S.C.

Senator STROM THURMOND,
Senate Office Building,
Washington, D.C.:

My son and I are with you all the way. We will do anything that you want us to do.

JOE GREEN and SON.

COLUMBIA, S.C.

Senator STROM THURMOND,
U.S. Senate,
Washington, D.C.:

My entire family support you and President Nixon concerning Cambodia.

CHARLES W. BRIGHT,
Colonel, U.S. Army, Retired.

FLORENCE, S.C.

Senator STROM THURMOND,
U.S. Senate Office Building,
Washington, D.C.:

100 percent behind President Nixon stand on Cambodia. Recommend strong action against rebellious college students.

Lt. Col. W. E. O'HARRA,
U.S. Army Reserve.

GEORGETOWN, S.C.

Senator STROM THURMOND,
Senate Office Building,
Washington, D.C.:

Sir: You are right. Stick to your guns.

JAMES D. JOHNSTON.

CHESTER, S.C.

Hon. STROM THURMOND,
U.S. Senate,
Washington, D.C.:

We back Nixon decision on Cambodia.

Mr. and Mrs. A. M. WYLIE.

CHATTANOOGA, TENN.

Senator STROM THURMOND,
Washington, D.C.:

Urge that you give the President your full support.

Dr. and Mrs. WILLIAM E. ROWE.

GREENVILLE, S.C., May 16, 1970.

Senator STROM THURMOND,
Washington, D.C.:

I am against the Church-Cooper amendment. Please vote against it. Thank you.

LARRY JOE COOK.

VIENNA, VA., May 18, 1970.

Senator STROM THURMOND,
Senate Office Building,
Washington, D.C.:

As a constituent of your State, I strongly urge you to vote against the Cooper-Church resolution. I am in complete agreement with President Nixon's Southeast Asia policies.

MAJ. RICHARD RASBERRY.

COLUMBIA, S.C., May 18, 1970.

Senator STROM THURMOND,
Senate Office Building,
Washington, D.C.:

Columbia Chapter Reserve Officers approve the action of the President in destroying Cambodian sanctuaries, saving future American lives and urge your support.

Col. MAHLON A. SKIDMORE.

CHARLESTON, S.C.

Senator STROM THURMOND,
Senate Office Building,
Washington, D.C.:

Please don't sell U.S. aid down the river by supporting Church-Cooper bill re Nixon and Cambodia. Please support our President.

F. L. PARKER,

ELIZABETH M. B. PARKER.

SUMTER, S.C.

Senator STROM THURMOND,
Washington, D.C.:

We support President Nixon's war policy.
Mr. and Mrs. L. W. CANNON.

CHARLESTON, S.C.

Senator STROM THURMOND,
Washington, D.C.:

Senator Thurmond, urge you push war effort to fullest extent now. Please do not disclose plans or intentions. All honest students are working for their education in class rooms, not on the Ellipse.

O. E. ENGELMAN.

COLUMBIA, S.C.

Senator STROM THURMOND,
Senate Office Building,
Washington, D.C.:

After watching NBC program asking for support for the amendment to end the war in Viet Nam, we want to make known our wishes that our country fight to victory.

Mr. and Mrs. M. O. MITCHEM.

SPARTANBURG, S.C.

Hon. STROM THURMOND,
Senate Office Building,
Washington, D.C.:

The Veterans of Foreign Wars opposes the Cooper-Church and the Hatfield-McGovern amendments, and we urge you to speak and vote against them.

L. HUBERT THOMPSON,
Commander, Post 9539.

BISHOPVILLE, S.C.

Senator STROM THURMOND,
Washington, D.C.:

Seven thousand American Legion Auxiliary members support President's Asian policy and troops. Urge support President Nixon.

Mrs. S. F. SHERARD, Jr.,

State President, the American Legion
Auxiliary.

ORANGEBURG, S.C.

Hon. J. STROM THURMOND,
U.S. Senate Office Building,
Washington, D.C.:

V.F.W. Post No. 2779, Orangeburg, S.C. absolutely supports the administration in the Cambodian offensive and strongly urges that strategic points be bombed in North Viet Nam as deemed necessary. We also oppose the Hatfield-McGovern bill along with the Cooper-Church amendments now in Congress.

MELVIN DAYE,
Post Commander.

ORANGEBURG, S.C.

Hon. STROM THURMOND,
Senate Office Building,
Washington, D.C.:

DEAR SIR: The V.F.W. Posts of District No. 9, Dept. of S.C. Support our President in the Cambodian affair and strongly oppose the Hatfield-McGovern bill on troop withdrawal and the Cooper-Church amendment.

RALPH C. VORETS.

DILLON, S.C.

Senator STROM THURMOND,
U.S. Senate Office Building,
Washington, D.C.:

Wired President Nixon today as follows: "The Republican Party and the great majority of the citizens of Dillon County wholeheartedly support your actions in Cambodia. We will also support your actions against anarchy on the campuses of this country."

GEORGE L. ROGERS,

Chairman, Dillon County Republican
Party.

SUMTER, S.C.

Hon. STROM THURMOND,
Senate Office Building,
Washington, D.C.:

You have been a dynamic force in South Carolina and policies governing the entire country. In these unreal critical times we are proud that you are there supporting our President.

He needs your help. After hearing on television a group of supposedly wise men of Congress urging people to vote against the President's decision on Cambodia we had to send this message urging you to work even harder in your support of his policies.

IRVIN J. and DOROTHY C. WYNN.

COLUMBIA, S.C.

Senator STROM THURMOND,
Washington, D.C.:

Speaking for 10,000 members of Veterans of Foreign Wars in South Carolina, urge you vote and work against Cooper-Church-McGovern-Hatfield amendments.

LAURIE L. LANE,
State Commander, VFW.LAWTON, OKLA.,
May 13, 1970.

Senator STROM THURMOND,
Representative, South Carolina,
Washington, D.C.:

I am a father, a veteran of World War II, Korea and Vietnam. I am a student at Oklahoma University. I am with the President. Back him.

ROBERT S. COLLINS.

Mr. THURMOND. Mr. President, in replying to these communications and the many others, I have reemphasized my support of the President. In my judgment, the President's action, which he promised to conclude June 30, will: Save American lives; reduce the possibility of a humiliating defeat; shorten the war; enhance success of the withdrawal and Vietnamization programs; and ultimately, I believe permit sustained self-determination of the South Vietnamese people. Full support to our President will insure this success.

CAMBODIA'S PLEA FOR AID FROM ASIAN NATIONS

Mr. THURMOND. Mr. President, three important developments have taken place in recent days concerning the difficulties faced by Cambodia.

First, Cambodia has asked Asian and Pacific Ocean countries to provide arms and send troops to help her repel the North Vietnamese and Vietcong attacks on Pnompenh and elsewhere in that country.

Second, 11 governments attending an all-Asian Conference in Jakarta, Indonesia have called on all foreign forces to withdraw from Cambodia.

Third, President Nixon has endorsed the call of the Asian Conference for the withdrawal of all foreign forces from

Cambodia as this is in line with his earlier declaration that U.S. troops would be out of that country by July 1.

Mr. President, I would like to hear some of the supporters of the Church-Cooper amendment stand up on this floor and call for the withdrawal of Communist forces from Cambodia with the same vigor they have demonstrated in calling for the withdrawal of U.S. forces.

Mr. President, I am going to repeat this statement. I would like those who are taking the opposite side, those who are pushing the Church-Cooper amendment, to respond to the request I am now making. If they are not in the Chamber now, they will have a chance to do so when they are in the Chamber sometime next week.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. THURMOND. Let me read this again, and then I will be glad to have the Senator respond, if he desires.

Mr. President, I would like to hear some of the supporters of the Church-Cooper amendment stand up on this floor and call for the withdrawal of Communist forces from Cambodia with the same vigor they have demonstrated in calling for the withdrawal of U.S. force.

I am pleased to yield to the distinguished Senator from California.

Mr. CRANSTON. Mr. President, I rise to respond to the distinguished Senator from South Carolina.

I am a sponsor of the Cooper-Church amendment. I support it. I believe it is deeply in the national interest of our country. I now repeat calls I have made in the past for the withdrawal of Communist troops from Cambodia, from South Vietnam, and from Laos. I believe that they, indeed, are the first aggressors. I call upon them to withdraw, as I call upon American troops to be withdrawn.

Mr. THURMOND. Mr. President, we have heard a few weak words along this line, but we have not heard the determined effort, with vigor, to demand that the Communist forces withdraw from Cambodia as we have heard for the U.S. forces to withdraw.

President Nixon has made it clear that U.S. forces will be out of that country by July 1, so it seems to me we should be throwing the weight of the Senate behind demands for withdrawal of the North Vietnamese and Vietcong. Surely a concerted call for such a withdrawal could be made by all Members of the Senate, and the result would certainly enhance the chances of peace in the entire Indochina area.

Further, the Nixon administration has called for restoration of the peacekeeping machinery set up in 1954 to keep foreign forces out of Cambodia.

If necessary the Geneva Conference should be reconvened for this purpose in order to assure the integrity of the Cambodian Government and the complete withdrawal of all forces.

The Cambodian Government would certainly not need troops or arms if North Vietnam would withdraw their troops. One would think that Soviet Russia and Red China would call upon their friends in Hanoi to effect such a withdrawal if they are really interested in

peace in Indochina as they so often claim.

Mr. President, two articles in the Nation's press on May 19, 1970, contain information on the three points I have just enumerated. In the May 19, 1970, issue of the New York Times an article by Henry Kamm, entitled "Cambodia Asks Asian and Pacific Nations for Troops," and an article in the May 19, 1970, issue of the Baltimore Sun by Paul W. Ward, entitled "Nixon Backs Asian Appeal on Cambodia," are well worth the attention of the Senate.

I ask unanimous consent that these two articles be printed at this point in the RECORD.

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

CAMBODIA ASKS ASIAN AND PACIFIC NATIONS FOR TROOPS

(By Henry Kamm)

PNOMPENH, CAMBODIA, May 18.—Cambodia has asked Asian and Pacific Ocean countries to send troops to help her repel the North Vietnamese and Vietcong attackers, but the initial reaction has been negative.

Highly placed Cambodian sources said today that the request for troops was sent Saturday to an 11-nation conference of Asian foreign ministers in Jakarta, Indonesia. In its closing communiqué yesterday, the conference, called to discuss the increased conflict in Cambodia, urged international diplomatic assistance for Cambodia.

The request for troops was sent over the signature of Premier Lon Nol, who acted after a meeting of the National Committee of Salvation. Although it has no official powers, the committee, headed by the First Deputy Premier, Prince Sisowath Sirik Matak, makes all vital decisions.

INDIVIDUAL ACTION POSSIBLE

High committee sources said that the lack of action by the Jakarta conference had not been regarded as a rejection of the request. They said it remained alive and a matter for the individual countries that had participated—Japan, Australia, New Zealand, South Vietnam, Thailand, South Korea, Indonesia, Malaysia, Singapore, Laos and the Philippines. Cambodia attended as a "special invitee."

The request for troops was the first made by Cambodia and a measure of the Government's view of the seriousness of the situation. Although American and South Vietnamese troops are fighting enemy forces in Cambodia, they are doing so on their own account.

The request for troops was believed to be motivated largely by the realization that the withdrawal of American air and logistics support by June 30—as decreed by President Nixon—will drastically reduce the operations of South Vietnamese troops in Cambodia and once more leave the weak Cambodian Army on its own.

HELP TERMED ESSENTIAL

The committee sources said the Cambodian Army would find it extremely difficult to assume the defense of the border regions. They said that Cambodian wanted to use the period until June 30 to prepare for that task but that help was essential.

For military manpower Cambodia looks principally now to the members of the Cambodian minority in South Vietnam who are serving as mercenaries under the American Special Forces, the Green Berets. About 2,000 of these soldiers have arrived here, followed by quantities of American equipment, and have been incorporated in special units into the Cambodian Army.

Cambodian sources said there had been an agreement in principle for the sending of more Cambodian volunteers from South Vietnam.

The sources also said that Cambodia was continuing her pleas to all countries for military equipment. An idea that is gaining favor in official circles is to ask the United States and South Vietnam to leave behind the bulk of their weapons and equipment when their forces end their offensives into enemy sanctuaries.

Cambodia, according to the sources, is planning to ask for help in training her soldiers. She would like to send units for instruction in such countries as South Vietnam, Thailand and even the United States.

LAOS OFFERS A PRECEDENT

There is precedent for such military assistance in the case of Laos. Many of her best units have been trained in Thailand with the help of American instructors.

Such training would involve American weapons, since both South Vietnam and Thailand are equipped almost exclusively by the United States. Cambodia would like to end her dependence on Chinese and Soviet arms, particularly because of the difficulties in procuring ammunition.

Officials note unhappily that the most substantial military aid received here so far has been shipments of Chinese-made automatic rifles captured by allied forces in South Vietnam. This increases Cambodia's dependence on Communist-made ammunition, they say.

If no help is forthcoming, the sources said, Cambodia is prepared to buy arms and equipment, particularly artillery and armor, anywhere, including the United States.

NIXON BACKS ASIAN APPEAL ON CAMBODIA

(By Paul W. Ward)

WASHINGTON.—The Nixon administration formally endorsed today an appeal by eleven Asian governments for withdrawal of "all foreign forces" from Cambodia and for the restoration of international machinery set up in 1954 to keep them out.

It also endorsed the group's appeal, made yesterday at the end of a two-day conference in Jakarta, Indonesia's capital, for action aimed at reconvening the Geneva conference which produced armistice agreements covering all of Indochina 16 years ago.

Meanwhile, Moscow broadcast a denunciation of the Jakarta conference's results, including what it called a "hypocritical appeal for an immediate cease-fire in Cambodia."

CALLED "UNTIMELY"

"This actually means," the broadcast said, "that the [Cambodian] military regime would be able to strengthen its power in the face of growing resistance on the part of the patriots."

It added that the Jakarta group's call for an immediate reconvening of the Geneva conference of 1954 was, and would remain "untimely as long as Cambodia is occupied by American forces."

On the other hand, it left unmentioned the group's call for the return to Cambodia of an international commission that was set up to supervise enforcement of the 1954 armistice agreement and that has been inoperative since last year. The commission is made up of Canadian, Indian and Polish delegates.

SUSPENSION ASKED

Prince Norodom Sihanouk, Cambodia's chief of state at the time, had called on the commission to suspend operations because he said, his government could no longer afford to pay its share of the commission's operating costs.

Five days after it had supplanted the

Sihanouk regime on March 18, the Lon Nol government at Phnom Penh appealed for the commission's return to Cambodia. The appeal, addressed to Britain and the Soviet Union as co-chairmen of the Geneva conference, has been endorsed by London but blocked by Moscow.

SUPPORT FOR PRESIDENT NIXON'S ACTION IN CAMBODIA

Mr. THURMOND. Mr. President, it is a pleasure for me to inform the Senate that I have received a great volume of mail from South Carolina in support of President Nixon's action in Cambodia. The last tabulation of this mail showed a large majority in support of our President.

A typical example of this support is a resolution passed by the "Forty and Eight Society" of Greenwood, S.C. I would like to quote a significant portion of this resolution. It states:

That it does hereby endorse and commend the Honorable Richard M. Nixon, President of the United States and as Commander-in-Chief of the Armed Forces of the United States for his decision to protect the Armed Forces of the United States in South Vietnam by directing our Forces to enter that portion of Cambodia which is and has been a sanctuary and a base of operations for the North Vietnamese in carrying on their unwarranted invasion against the people of South Vietnam, and neutralize the area.

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

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

RESOLUTION OF VOITURE 435 LA SOCIETE DES QUARANTE HOMMES ET HUIT CHEVAUX, GREENWOOD, S.C.

Be It Resolved by Voiture 435 La Societe Des Quarante Hommes et Huit Chevaux, Greenwood, South Carolina, in meeting assembled this 6th day of May, 1970:

1. That, it does hereby endorse and commend the Honorable Richard M. Nixon, President of the United States and as Commander-in-Chief of the Armed Forces of the United States for his decision to protect the Armed Forces of the United States in South Vietnam by directing our Forces to enter that portion of Cambodia which is and has been a sanctuary and a base of operations for the North Vietnamese in carrying on their unwarranted invasion against the people of South Vietnam, and neutralize the area.

2. Be it further resolved, that it is believed that such action on the part of our Commander-in-Chief is in keeping with the plan for the vietnamization of the South Vietnamese and the withdrawal of the armed Forces of the United States from South Vietnam on the basis of a fair and just peace for the area.

3. Be it further resolved, that it is felt that the action of the President in this respect is in furtherance of a just peace for South Vietnam and in the world.

I, W. H. Cothran, do hereby certify that the above Resolution was duly adopted this 6th day of May, 1970.

W. H. COTHARAN,
Acting Correspondant.

REAL LEADERSHIP IN CAMBODIAN CRISIS

Mr. THURMOND. Mr. President, in an editorial published May 11, 1970, and

titled "Real Leadership" the editors of the Augusta Chronicle newspaper in Augusta, Ga., have praised President Nixon for his clear and forthright explanation of U.S. policy regarding Cambodia.

Anyone who wanted the last detail on the motives and plans regarding U.S. efforts to destroy the Communist sanctuaries in Cambodia certainly should have been satisfied with the President's remarks.

The editors of the Augusta Chronicle chose well when they titled their editorial "Real Leadership" for that is just what the President demonstrated in handling this explosive subject.

It appears to me that some people in this country are only interested in attacking our President and if it is not Cambodia or Vietnam it will be something else.

This editorial commends the President for his clear and concise statement to the American people, and I ask unanimous consent that it be printed in the RECORD.

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

REAL LEADERSHIP

At a moment in history when the American people suffer from division—aggravated by the emotional acts of anarchists and the subtle poison of Communist sympathizers—Friday night's press conference produce policy statements by President Nixon which should help clarify issues and correct misunderstandings.

It was a concise and statesmanlike handling of matters of concern to the American people—primarily the military operation to destroy enemy sanctuaries across the Cambodian border, the return of troops from South Vietnam and the mob violence on the Nation's campuses.

An overconcern for any isolated aspect of these varied situations might have led many a lesser official to overlook points essential to a national understanding, and to have concentrated unwisely on other points which by themselves did not reflect the entire picture. The President obviously had given much time to his preparation for this press conference, and as a result he placed the Administration's position in such sharp perspective that even his opponents must have been impressed.

Nor did the President fall into the trap of over-reacting to the shrill and automatic chorus of denunciation which has been incited among well-meaning students and liberals by those determined to destroy democracy in America. The President was conciliatory without any backing down whatsoever. His clear perception of the nature of seemingly opposed positions enabled him to extend a bridge of understanding to such critics as are open to dialogue. He pointed out, in this connection, that all his Vietnam actions since inauguration have been directed to deescalation of the Vietnamese war—from his troop withdrawal which are proceeding on schedule to the Cambodian operation which by blocking blood invasions can shorten the war and hasten reduction in military forces.

Thus he made it clear that the objectives of sincere critics are the same as his own, and that the differences are a matter of method.

Similarly, Mr. Nixon made it clear that his criticism of students was not at all a condemnation of dissenters—he upholds the right of dissent—but of criminals for whom he says his label of "bums" is too kind a word.

And, finally, Mr. Nixon swept away any misunderstanding about either "authorizing" or "muzzling" statements from officials in his Administration. This is an open administration, he reminded Americans (he had said it before) in which Cabinet members and other officers of the government are free to express their individual opinions.

To cap the entire effort to reconcile dissidents, insofar as they are open to reconciliation, Mr. Nixon's pre-dawn visit with students who were in Washington for a massive demonstration was a master stroke. In one spontaneous gesture, he removed any semblance of cause for complaining that he is oblivious to and unresponsive to the deep concerns felt by sincere demonstrators. Such a meeting must have been far more productive than a programmed confrontation in which agitators set the stage for an inflammatory approach.

The President's statements at the press conference will not change the mind of those who are irrevocably opposed to a democratic system. It may not change the minds of hardcore isolationists or pacifists, although it could cool their intemperance.

But with millions of Americans who are troubled over rumors and accusations and wondering which course is best, Mr. Nixon's words should help provide guidance in reaching rational judgments.

EDITORIAL IN THE EDGEFIELD ADVERTISER SUPPORTING PRESIDENT NIXON

Mr. THURMOND. Mr. President, the Nation's weekly press is one of the strongest pillars in this great Republic, which some people are trying to tear down.

Time and again, the voices speaking from our weekly newspapers have proven the wisest in times of crisis. Time and again, these voices have refused to yield on the basic principles which made America great.

Such a voice was heard May 6 in the town of Edgefield, S.C., when Editor Walton W. Mims of the Edgefield Advertiser, penned an editorial titled "The Citizen Made a Decision That Every Citizen Should Make."

I will not attempt here to elaborate on this editorial or call attention to certain of its paragraphs for the words of the editor express, far better than could I, the message all America should hear.

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

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

[From the Edgefield Advertiser, May 6, 1970]

THE PRESIDENT MADE A DECISION THAT EVERY CITIZEN SHOULD MAKE

President Nixon has stood up full height in a new resolve of patriotic leadership. Under the circumstances and with the opposition that he faces, he has exemplified a greater courage than has been shown in the White House in many years.

It was a decision from the school of Southern patriotism and whatever it might have offered, in way of a Southern strategy was unintended in the greater drama of its fatefulness and necessity. The South unquestionably is with Mr. Nixon.

Just how far-reaching is the President's challenge in the Far East? In its unpredicted timing, it presents a direct challenge to Red

China and Russia beyond what they have previously faced.

But there is a more imminent challenge. It is to the American Citizen to stand up for country on every campus, in every organization, in every community and circumstance.

What the Vice President referred to here as "conditions eroding the nation's values and principles" is just now the conditions of internal weakness, that are seen in campus and organizational protests and more quietly have appeared in the absence of public care for a long time.

The President, who acknowledged that he was placing his political future at stake, cannot ultimately succeed, and there would follow a catastrophe, unless his action awakens the people individually and collectively.

It is to understand now and to care about the meaning and values of freedom!

There are those who mindlessly think they benefit by the "erosion of values and principles" about which the Vice President spoke.

They are found not only on campuses where to compensate for their illusion about life they attach themselves to spectacular causes, but are found in all areas contributing to changes that have eroded American values and principles, and therefore to the enemy's cause.

The President's courageous action hints of a new will for victory in VietNam following years of wasteful warfare that has left over 40,000 American boys dead, and up to now with but little hope! With enough support he could order victory!

Here are his words in describing what is at stake:

"We live in an age of anarchy both abroad and at home. We see mindless attacks on all the great institutions which have been created by free civilizations in the past 500 years. Here in the United States, great universities are being systematically destroyed . . .

"If when the chips are down the U.S. acts like a pitiful helpless giant, the forces of totalitarianism and anarchy will threaten free nations and free institutions throughout the world.

"It is not our power but our will and character that is being tested. The question all Americans must ask and answer tonight is: Does the richest and strongest nation in history of the world have the character to meet a direct challenge—

"Whether my party gains in November is nothing compared to the lives of 400,000 brave American men fighting for our country—

"I would rather be a one-term president than to be a two-term President at the cost of seeing America become a second-rate power and see this nation accept the first defeat in the proud 190-year history."

But, in spite of this very great call to victory in the Far East there were those in the Senate of the United States who called the action "unbelievable", "ghastly" and "unthinkable."

The President was speaking more for the South's kind of patriotism, and he perhaps knew that this great region would be solid with him.

Unfortunately there have been a few voices of dissent, and close to home a monopoly daily circulating in this area questions the President's logic.

When the Vice President speaking in Edgefield ten days ago said, "It is hard to straighten out a generation of problems that we have allowed to develop, but it can be done," there is little question about what he meant in the context of his speech and in the major confrontation of the Nixon Administration with the enemies at home—those who care too little about their country and those who care not at all.

It is time to intimidate the international sponsors of atheism and human slavery—a relatively few men conspiring to change the "values and principles" that have given ascendancy to America, and they would rule the world in the ancient form of barbaric darkness!

SETBACK IN HANOI TIMETABLE BECAUSE OF CAMBODIA ACTION

Mr. THURMOND. Mr. President (Mr. COOK), the fact that President Nixon's Cambodia action is accomplishing just what he intended finds support in an article published in the May 20, 1970, issue of the Washington Post by John Wheeler of the Associated Press.

Filed from Phnom Penh, Cambodia, the article is titled "Cambodia Invasion Reported Upsetting Hanoi's Timetable." 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 the Washington Post, May 30, 1970]
CAMBODIAN INVASION REPORTED UPSETTING HANOI'S TIMETABLE
(By John T. Wheeler)

PHNOM PENH, CAMBODIA, May 19.—A Communist source said today that the allied offensive in Cambodia might have upset Hanoi's timetable for Indochina.

The source, who is in frequent contact with the North Vietnamese high command, said Communist intelligence learned of the allied plans several days in advance and all major units were out of the path long before allied air and ground forces hit.

Reports from the field indicated that allied kill claims were overly optimistic but that North Vietnamese and Vietcong casualties had been serious nonetheless, according to the source. The heaviest blow was the large amount of stockpiled weapons and food captured, plus a major disruption of Communist communications in the onetime sanctuaries of eastern Cambodia.

If the North Vietnamese and Vietcong units had been conventional rather than guerrilla units, the allied thrust might have destroyed them. As it is, the source speculated, the Communists' timetable was considered to be knocked back, possibly for years, because of lost supplies and because the Communist-command troops now were fighting on more fronts.

The source claimed that the advance Communist intelligence permitted East Bloc diplomats to inform Lon Nol one day, before the invasion started. The Cambodian government was warned it was "playing with fire" if it went along with the invasion. The initial Cambodian reaction was to say any violation of its neutrality would be protested. Later the government gave tacit approval to the offensive.

The source also said that East Bloc Intelligence agents here closely investigated the March 18 coup that brought Lon Nol to power and concluded the United States played no part in it.

Mr. THURMOND. Mr. President, the article indicates that the Cambodian action is accomplishing just what the President intended—a setback in the North Vietnamese timetable in South Vietnam. Hopefully the result of this setback will be a further strengthening of the Vietnamization program so that when American forces disengage from combat next summer the South Vietnamese will be able to preserve their liberty.

That is all the United States wishes to accomplish in South Vietnam, a condition which will permit the 18 million people of that Asian country to determine their own fate.

In his address to the American people President Nixon noted that the North Vietnamese "began to expand these sanctuaries 4 weeks ago." This came after the change of government in Phnompenh. It is true the situation changed because of a political development.

At the same time, it is true that the chief reason for this strike was the result of a military buildup which took advantage of this political development.

While critics of the administration refuse to accept this fact, as logical as it may be, perhaps they will accept the report of the new government in Cambodia. This government, noting the buildup and increased Communist activity against Cambodian military units, filed a report with the United Nations Security Council in New York and asked that this report be circulated to Council members.

The report was contained in a letter dated May 1, 1970, from the Permanent Representative of Cambodia to the United Nations, and I ask unanimous consent to have it printed in the RECORD.

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

LETTER DATED MAY 1, 1970, FROM THE PERMANENT REPRESENTATIVE OF CAMBODIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government and further to my letter No. 1919 of 27 April 1970 (S/9769), I have the honour to state the following for the information of the members of the Security Council:

On 24 April 1970, at about 8 a.m., the Khmer National Defence Forces attacked from the rear a force of approximately sixty Viet-Cong and North Viet-Nameese who were setting an ambush in the area of Kaun Sath, some ten kilometres south-east of Kampot. The Viet-Cong and North Viet-Nameese withdrew, leaving behind nine dead, four Chinese rifles and six grenades and taking with them some twenty dead and wounded.

The same day, at about 9 a.m., the administrative post at Sre Cheng, twenty kilometres of Chhouk, in Kampot, came under violent attack by the Viet-Cong and North Viet-Nameese. Overrun by the numerically superior enemy, the defenders evacuated the post. There were casualties on both sides.

The same day, at about 4 p.m., the Viet-Cong and North Viet-Nameese pillaged the railway station at Banley Chas, district of Samrong, twelve kilometres south-west of Chambak, in Takéo. The stationmaster was taken prisoner and was released on 25 April 1970.

During the same day, operations continued for the purpose of clearing the town of Angtassom, which had been under attack by the Viet-Cong and North Viet-Nameese since 23 April 1970. At about 6 p.m., paratroops of the Khmer National Defence Forces attacked the Viet-Cong and North Viet-Nameese, who were trying to maintain their hold on the town. Hand-to-hand fighting ensued. The enemy left behind fifteen dead and took a number of dead and wounded with them. Cambodian casualties were light.

The same day, at about 7 p.m., the Viet-Cong and North Viet-Nameese once again at-

tacked the town of Kompong Trabek, in Prey Veng. The Khmer National Defence Forces struck back vigorously, compelling the enemy to withdraw after suffering casualties.

During the night of 24-25 April 1970, the town of Mimot, in Phkar Rumchek, was subjected to two harassing attacks by the Viet-Cong and North Viet-Nameese. Vigorous counter-action by the Khmer National Defence Forces compelled the enemy to withdraw, leaving behind one dead, one Chinese rifle and one grenade.

During the same night, the post at Sre Chea, some ten kilometres north of the town of Kompong Trach, in Kampot, which had been attacked by the Viet-Cong and North Viet-Nameese at about noon on 24 April 1970, was subjected to another harassing attack by those forces, who were estimated at battalion strength, at about 2 a.m. Overrun by the numerically superior enemy, the Cambodian defenders evacuated the post. There were casualties on both sides.

On 26 April 1970, at about 9:30 a.m., the Khmer National Defence Forces fought a two-hour engagement with some sixty Viet-Cong and North Viet-Nameese at the village of Tuol Trabek, two kilometres south of Prasaut, in Svay Rieng. The enemy left behind five dead, including two Viet-Nameese nationals from Chiphou, as well as one rifle and two rocket-launcher projectiles and took a number of dead and wounded away with them, Cambodian casualties were light.

During the night of 26-27 April 1970, the town of Chhlong, in Kratié, was once again attacked by the Viet-Cong and North Viet-Nameese and the police station was set on fire. The fighting is continuing.

On 27 April 1970, at about 7 a.m., the village of Tuol Kandal, some ten kilometres south-west of Suong, in Kompong Cham, was attacked by about 100 Viet-Cong and North Viet-Nameese. The Cambodian defenders struck back vigorously and suffered light casualties.

The Khmer Government and people are profoundly indignant at this escalating series of overt acts of criminal aggression committed inside Cambodian territory by the Viet-Cong and North Viet-Nameese forces, who are thus violating the sovereignty, independence and territorial integrity of neutral, peaceful Cambodia and are trampling underfoot the 1954 Geneva Agreements and international law.

The Khmer Government and people call upon all countries devoted to peace and justice to bear witness to these facts and hold the Government of the Democratic Republic of Viet-Nam and the National Liberation Front of South Viet-Nam (Viet-Cong) fully responsible for any grave consequences which ensue from the present policy of aggression and expansionism.

They are entitled to take all necessary measures to ensure the defence and survival of their country, which can under no circumstances bow to the jungle law being imposed on it by the imperialist Viet-Cong and North Viet-Nameese invaders.

I should be grateful if you would have this communication circulated as a Security Council document.

Mr. THURMOND. Mr. President, some will argue that our Cambodian action was in direct response to the pressure being placed on the new Cambodian Government by the North Vietnamese and Vietcong. This report to the United Nations certainly indicates such pressure was being applied.

However, the fact that the North Vietnamese had supplies and soldiers in such numbers in Cambodia that it was able to launch attacks in two directions certainly

is strong evidence of the massive buildup they had accomplished there. The very fact they were diverted also made the U.S. and South Vietnamese attacks on these sanctuaries more timely.

Mr. President, the supporters of the Church-Cooper amendment and other critics of President Nixon have made much over the point that his action in Cambodia does not have the support of the American people.

Many of the major magazines and newspapers have since published public opinion surveys which show just the opposite. These surveys have already been placed in the RECORD so I will not duplicate them at this point.

One opinion report, however, which has not been placed in the RECORD to my knowledge comes from a group whose members have borne the hardship and heartbreak of past wars—the American Legion.

At a National Executive Committee meeting in Indianapolis, Ind., May 6 and 7, the National Security Committee of that 4 million member organization passed a resolution supporting President Nixon's orders to destroy these Communist sanctuaries.

I ask unanimous consent to have the resolution printed in the RECORD.

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

VIETNAM RESOLUTION

Whereas, Negotiations with the North Vietnamese and Viet Cong delegations in Paris for a political settlement of the Viet Nam conflict have failed to produce any results whatever; and

Whereas, The enemy has not only greatly stepped up its offensive military action in South Viet Nam, but has also expanded the area of its aggressive operations into Laos and Cambodia; and

Whereas, The enemy's intensification of the conflict in the whole of Indo-China seriously endangers the success of our Vietnamization program and threatens the safety of the remaining American and allied troops in South Viet Nam; and

Whereas, The President of the United States has initiated a program for the elimination of enemy sanctuaries presently enjoyed and utilized to a high degree, thwarting our efforts to achieve victory in Viet Nam; now, therefore, be it

Resolved, by the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on May 6-7, 1970, express the wholehearted support of The American Legion of the President's decision to eliminate Communist military sanctuaries in Cambodia and we call upon the members of Congress and the American people as a whole to give it the same support; and be it

Further resolved, That The American Legion urged the President to take further action, as and when he deems it essential to the safety of our troops in South Viet Nam and to the successful prosecution of that conflict, to eliminate, by military action all enemy sanctuaries, installations and areas wherever situated that afford actual or potential bases for enemy action against our forces and those of our allies; and be it

Further resolved, That the necessary military action be taken for the sole purpose of hastening the cessation of fighting and inducing the acceleration of those political conversations that will secure a lasting and honorable peace.

Mr. THURMOND. Mr. President, this resolution and many others like it which millions of American people have endorsed in recent weeks support President Nixon in the proper exercise of his obligations as Commander in Chief.

In so doing, he is carrying out the will of a majority of the American people. In support of this claim, I submit the words of the President who, in his television address, April 30, 1970, stated as follows:

A majority of the American people are for the withdrawal of our forces from Vietnam. The action I have taken tonight is indispensable for the continuing success of the withdrawal program.

A majority of the American people want to end this war rather than have it drag on interminably. The action I take tonight will serve that purpose.

A majority of the American people want to keep the casualties of our brave men in Vietnam at an absolute minimum. The action I take tonight is essential if we are to accomplish that goal.

Mr. President, the Commander in Chief of this great Nation has put his neck on the line for our fighting men in South Vietnam. We have a duty to support him in the difficult decisions he has had to make and in those he faces ahead. As long as he is Commander in Chief, it is folly to do otherwise.

In my view, he has acted wisely and courageously. It is also my belief a majority of the American people feel the same way.

HAVE AMERICANS LOST THEIR CAPACITY TO BE SHOCKED BY OUTRAGEOUS CONDUCT?

Mr. THURMOND. Mr. President, James J. Kilpatrick made a good point in the May 19 Star when he wondered whether Americans had lost their capacity to be shocked by outrageous conduct.

By way of example, he mentioned Secretary Finch's nonreaction when a rowdy group of trespassers invaded his office and occupied it for several hours. He also pointed to Dr. Larsen's do-nothing attitude when some profane hoodlum threw a pie in his face at a Government hearing.

Mr. President, in view of the fact that the word "discrimination" has become such an effective and emotional rallying cry in recent years, one wonders why it has not occurred to the average "man on the street" that he is being severely discriminated against. What if John Doe, the average middle American, decided to force his way uninvited into the office of a major Cabinet officer, solely because he wanted to see this important man and spend the afternoon observing the activities there. How far would he get? How long would his presence be tolerated? Or consider this situation: John attends a hearing at which some matter of interest is being investigated. Suddenly he realizes that the presiding officer is saying something he does not agree with; so he grabs the nearest bucket of water and throws it in the man's face. Do the nearby police offi-

cers simply shrug it off? Is John allowed to walk away unimpeded?

Here is a more serious situation: The local bank bounces one of John's checks, much to his distress. In a spirit of revenge, he tosses a fire bomb into the lobby that night. This is arson—one of the most serious crimes known to common law. Would not the local authorities move heaven and earth to see that John was brought to justice?

Mr. President, the answers to these hypotheticals are obvious. No one doubts that in each case John would be immediately arrested and dealt with to the fullest extent of the law. Is this not discrimination then, Mr. President? Mr. Doe is made to answer for his indiscretions while other individuals under similar circumstances are allowed wide latitude merely because they represent a "cause" and because they manage to get a mob to accompany them.

There are many among us who are forever vigilant when it comes to seeking out and exposing alleged discrimination and lack of due process, whether real or imagined. Those who are sincere in this crusade should accord publicity to this curious lack of equal protection of the laws.

ADMIRAL SMEDBERG'S LETTER TO THE RETIRED OFFICERS ASSOCIATION

Mr. THURMOND. Mr. President, in the course of yesterday's debate, a question was raised concerning the briefing which the President gave to Admiral Smedberg III, president of the Retired Officers Association. I was not present at that briefing, and I do not know what transpired or what the purpose of the meeting was. However, Admiral Smedberg's account of it was most interesting to those of us who are concerned about the military capability of this Nation. Admiral Smedberg's letter to the members of the ROA was inserted in the RECORD yesterday, but no attention was drawn to the real point of the letter; namely, the precarious state of the U.S. military strength. Neither the debate on the floor nor the news accounts about the incident gave any reference to the major thrust of Admiral Smedberg's concern.

The letter was put into the RECORD but the attachments were omitted. These attachments were of extreme importance in view of the current drive to tie the hands of the President as the Commander in Chief.

Admiral Smedberg as a result of his briefing included a number of background facts related to national defense. It appears that some have been reluctant to talk about these facts and reluctant to give them the full publicity which they deserve. As Admiral Smedberg said:

The sobering, even startling, developments of the past few years relayed to us by the President, many of the details of which have been released by the Secretary of Defense, indicate that the U.S. is now very close to the point where its citizens must make a decision whether we are to continue as a first

rate world power or be willing to settle for second best.

Mr. President, I ask unanimous consent that the entire letter of Admiral Smedberg and his memo entitled, "Background Facts Related to National Defense," be printed in the RECORD.

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

RETIRED OFFICERS ASSOCIATION,
Washington, D.C., May 13, 1970.

DEAR FELLOW OFFICER: Our Commander-in-Chief, the President of the United States, has made a difficult and courageous decision to attack and destroy North Vietnamese bases and war supplies along the South Vietnamese border inside Cambodia. His goals are understandable, particularly to military men: (1) to shorten the war, (2) to save American lives, (3) to enable his Vietnamization plan to carry on to a successful conclusion, (4) to permit self-determination of the South Vietnamese to continue to fruition, and (5) to minimize the prospects of a disastrous defeat as the strength of our forces in Vietnam grows less during his previously announced withdrawal program.

The order has been given, American military men are now in combat carrying out the Commander-in-Chief's orders, and some are dying in order that a larger number may live.

At home, opponents of the Administration, the "Doves", the Peace-At-Any-Price advocates, and those who have been persuaded that the United States has only to withdraw its forces from Southeast Asia in order for universal peace to exist throughout the world, are working right now to tie the hands of our President in this endeavor. Many well-meaning supporters of those policies seem to forget the additional jeopardy to which such actions will subject our troops in Vietnam.

President Nixon told me, and a few other officers of veterans and patriotic organizations, two days before his talk to the Nation, that the action he was soon to order was imperative if we were to escape the probability of total and humiliating defeat in Vietnam. Information from captured enemy documents, prisoner interrogation, aerial reconnaissance and other intelligence sources available to him had convinced him and his military advisors that our position in South Vietnam would soon be untenable, the Vietnamization program destroyed, and a humiliating defeat in Vietnam almost assured unless he ordered immediate and positive action to destroy the forces and massive supplies of arms, ammunition, food and equipment which had been stored in underground shelters in North Vietnamese "sanctuaries" on the Cambodian side of the border along the great length of South Vietnam. These stores were, he said, sufficient to supply several North Vietnamese divisions for six months.

I am convinced that the President had no alternative; to do nothing would almost certainly insure the loss of all that we have been fighting for in support of free peoples everywhere, and the abandonment of the principles for which more than 40,000 American men have died in this war.

The voices of the organized minority are stridently raised against our President's action, giving great comfort and aid to the enemy.

I believe that, as a citizen who holds, or has held, a commission in the Armed Forces, you will want to add your support to those of us who have for too long been the "Silent Majority" by upholding our Commander-in-

Chief in his resolve to bring about an honorable peace, maintain the integrity of this nation, fulfill its commitments to its allies, and honor those who have died in their efforts to preserve freedom for all peoples.

At the time of our meeting, the President gave us a detailed briefing on our general military posture. Beginning on page 3 I have briefly outlined some of his more pertinent and important points.

If you agree with the viewpoint I have expressed, I urge you as a private citizen to take immediate and positive action along the lines suggested on the following page.

Sincerely,

W. R. SMEDBERG, III,
President, Vice Admiral, USN, Retired.

BACKGROUND FACTS RELATED TO
NATIONAL DEFENSE

(By W. R. Smedberg III)

On 28 April 1970 a small group of top officials of organizations which actively support an adequate national defense for the United States met with the President in the White House Cabinet room. I was honored to be one of that group.

The President talked for more than an hour of the particular problems bearing on our national security. This most unusual, if not unprecedented, talk to a group of mostly retired military and naval personnel, and the frankness with which he expressed his ideas, were positive proof of the trust and confidence our Commander-in-Chief places in those men and women who have given so many years of their lives to insure the security of this nation.

The President commented on trends which appear fashionable today, the viewing of patriotism with scorn, the downgrading of those in the military services, and the efforts to cut back on our national defense. He recognized, as do many military men, that military forces and military spending are looked upon in some quarters as inherently evil.

He recognized the high motives behind many of those who wish to take money from the defense budget in order to modernize ghettos, rebuild cities and clean our polluted air and water. The President believes that there must be major improvement in those areas, but he said that unless this country has adequate defenses, there may be no environment, at all, to worry about in the years ahead. Therefore, he feels that there must be proper balance between the required security needs of this country and the money spent in improving those areas which must be improved.

In my happy retirement I had thought that we were maintaining our deterrent capability and therefore our security. But the sobering, even startling developments of the past few years related to us by the President, many of the details of which have been released by the Secretary of Defense, indicate that the United States is now very close to the point where its citizens must make a decision whether we are to continue as a first rate world power or be willing to settle for second best.

The President laid the greatest stress on the fact that the Soviet's attitude, as expressed repeatedly, is one of expansion, whereas that of the United States is purely defensive.

Facts which I have learned and which I want to bring to your personal attention are:

1. At the time of the Cuban crisis, the United States had an overall 10 to 1 superiority in ICBMs. Now the Soviets are ahead in total numbers and greatly ahead in explosive power.

2. In the older category of multi-megaton ICBMs such as the Titan and comparable

Soviet missiles, the Soviets in 1965 had a better than 4-1 advantage and they still maintain that position.

3. In 1965 the United States had 880 operational Minutemen missiles. The Soviet Union had nothing comparable. Today, the Soviets have over 800 such launchers operational and a projected force that could exceed 1,000 within the next two years.

4. In 1965, the Soviets had no operational launcher for its large SS-9 missile, which can carry a 25 megaton load. Today they have 220 operational systems and 60 or more under construction. The United States has no counterpart to this system.

5. The Soviets are continuing work on their anti-ballistic missile (ABM) deployment in the Moscow area and presently have a total of 64 launchers in place. The United States has none.

6. In the past year the Soviets installed over 120 additional ICBM sites; the U.S. none.

7. In the past year the Soviets built 8 new nuclear submarines with nuclear missile capability. We build none. We still have a superiority of almost 2½ to 1 in nuclear submarines capable of delivering nuclear warheads from the sea, but, by 1975, the Soviets will not only have equalled, but at the present rate of construction will have passed our sea-based nuclear delivery capability.

8. In 1965, neither a depressed trajectory ICBM nor a Fractional Orbital Bombardment System existed in either the Soviet or U.S. inventory. Today, the Soviets have tested both configurations and may have an operational version ready for deployment. The United States has developed nothing comparable to these systems.

9. In 1965, there was no development underway of a so-called Undersea Long-Range Missile System (ULMS) by either the United States or the Soviet Union. Today, the United States is spending relatively small sums in research and development of such a system. The Soviet Union is testing a new, long-range missile for possible Naval use.

10. In 1965, the Soviet heavy bomber force consisted of slightly over 200 aircraft. The U.S. heavy bomber force strength was about 780. Today, the Soviet heavy bomber force is slightly under 200. U.S. heavy bomber strength had declined to about 550.

These were sobering statements; in fact startling to me in both frankness and facts. Six years ago when I retired from the Navy, figures and statements such as these were "Top Secret." This new policy of the present Administration of disclosing such facts to the American people is worthy of the attention and commendation of all of our citizens. It may be possible that a potential enemy will gain some additional knowledge, but the probability is that these facts are known to his intelligence agencies already. They should, therefore, properly be known by all Americans. Only if each citizen is aware of the threats to our security can he support with confidence a defense adequate to guarantee our continuing security.

I think most of us around that Cabinet table were deeply impressed by the seriousness of the President. He had no cheerful smile after the first few minutes when he greeted us. We recognized that he felt the facts were grim and that he was doing his best to present them as they appeared to him, without camouflage or softening.

The President left no doubt but that his objective is to restore and then to maintain peace, but he understands, perhaps better than any man in America today, that one does not achieve or maintain peace from a posture of weakness.

Mr. HOLLAND. Mr. President, I thank the distinguished Senator from South

Carolina for placing these matters in the RECORD.

As in his case, I have received many wires, letters, and communications from my State indicating very strong support for the President. And I may, in the future, wish to place those letters in the RECORD. At this time, however, I want to make it rather clear for the record that it is not just in South Carolina and in Florida and in practically all of the South that this situation exists by placing in the RECORD the beginning part of an editorial from today's Chicago Tribune entitled "Strong Support for the President."

The editorial reads in part:

That was a mighty impressive display of patriotism and loyalty to President Nixon that the construction workers put on in New York Wednesday. More than 100,000 strong, they marched down Broadway and demonstrated in front of City hall to show their "love of country and love and respect for our country's flag."

They sang "The Star Spangled Banner" and "God Bless America"; they listened to fervent speeches defending Mr. Nixon's Viet Nam policy and attacking his campus critics; and they hanged one of the leading advocates of a blitz pullout from Viet Nam—New York's Mayor Lindsay—in effigy from a lamppost.

Peter J. Brennan, president of the Construction Trades council, told the crowd that "history is being made here today because we are supporting the boys in Viet Nam and President Nixon."

History was indeed being made. Here was the backbone of American labor cheering a Republican President and being showered with ticker tape in the inner sanctum, as it were, of corporate management. The rebuke to Mayor Lindsay was an eloquent testimonial to the fact that he does not speak for all Americans, even in New York—and he deserved it.

According to a Gallup poll for Newsweek magazine, 50 per cent of the American people support the Cambodian operation and 39 per cent oppose it (the rest have no opinion). In Chicago, a TRIBUNE poll resulted in an 80 per cent favorable showing for Mr. Nixon.

Mr. President, I note also that the leading item in the contributors' column of the New York Times today states eloquent support of the President and the President's policy from the pen of a clergyman. And I want this to appear in the RECORD.

This letter to the editor reads in part:

TO BACK NIXON ON WAR

TO THE EDITOR:

As a clergyman who for fifty years in the parish ministry has been a member of most of the peace, interfaith and ecumenical agencies, I plead for understanding and support of President Nixon in his efforts to achieve peace.

This will need an understanding by all Americans of the circumstances in Indochina with which he must deal. The southern border of North Vietnam is the DMZ, the whole western border is Laos and Cambodia. In spite of encirclement, Hanoi for years has been pouring men and supplies into South Vietnam by acts of invasion of two neutral countries.

These were carried out without protest from the American peace groups, honorable and dishonorable. By their demands for the ending of American bombing of the source of that supply, these groups also gave im-

munity to this continual flow of thousands of soldiers, massive supplies to the aid of the Vietcong. Over a period of five years all of this produced only a stalemate and the constant attrition of human life.

PRESIDENT'S PLAN

When the President took office he said he had a plan to bring the war to a close. He began by bringing home 120,000 men during his first year, and has promised to bring home 150,000 more this coming year, with all home by the end of 1971.

The decision that the centers of military strength and resources North Vietnam had established in occupied Cambodia first had to be destroyed was made to protect the safety of American soldiers as they await their return home and during their embarkation. The Cambodian action will provide nine months of protection for them and for the strengthening of South Vietnam forces.

The President and the Defense Secretary have promised that all action in Cambodia will cease by the end of June. But the return of the American forces from the Far East will be determined not by slogans, or crowds, or mass confrontation of civilians in the capitals of the world; but by experience, knowledge and expertise in the logistics of moving great masses of men and material. Peace is not merely the ending of strife, but the tranquillity of order.

This is the wise pathway to the achievement of the greatest measure of peace in our time—an accomplishment which is the purpose and prayer of all Americans. The President deserves our trust and support.

The letter is signed by the Reverend Russell J. Clinchy, Princeton, N.J., May 13, 1970.

Mr. President, I simply wanted these two articles to appear in the RECORD to show that support of the President is by no means limited to that part of the Nation which is supposed to think in a little more military terms, which supplies the Commandant of the Marine Corps, from my own State, the Chief of Staff of the Army, from South Carolina, the Chairman of the Joint Chiefs of Staff, from Alabama, and other great leaders of our military forces, but is also coming from such great sources of population as Chicago and New York, as stated in these eloquent articles.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and (at 3 o'clock and 16 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 3 o'clock and 26 minutes p.m. when called to order by the Presiding Officer (Mr. BYRD of West Virginia).

THE ANNUAL REPORT OF THE SPECIAL COMMITTEE ON AGING

Mr. CHURCH. Mr. President, the distinguished Senator from New Jersey (Mr. WILLIAMS) is necessarily absent today on business in his State. In his absence, he has requested that I submit remarks,

which he had intended to deliver personally today, relative to the annual report of the Senate Special Committee on Aging.

The outstanding work of Senator WILLIAMS in the area of aging is well established. I have been fortunate to be associated with him and the fine work he has done in this field as chairman of the Senate Special Committee on Aging.

I ask unanimous consent that the remarks of the Senator from New Jersey and the material to which he refers be printed in the RECORD.

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

The statement by Senator WILLIAMS of New Jersey and the material therein referred to was ordered to be printed in the RECORD, as follows:

A CALL FOR ACTION ON AGING: THE ANNUAL REPORT OF THE U.S. SENATE COMMITTEE ON AGING

(Statement by Hon. HARRISON A. WILLIAMS)

Mr. President, the United States Senate Special Committee on Aging has filed its annual report, "Developments in Aging: 1969."

I am happy to comment at this time, along with our ranking Minority member—the distinguished Senator from Vermont, Senator Prouty—on the meaning and importance of this document.

For one thing, the report issues an interim discussion of the major study by the Committee during the past 1½ years. I am referring to our inquiry into the "Economic of Aging: Toward a Full Share in Abundance."

That study has, in the opinion of many experts in the field of aging and in many other fields, provided the best evidence yet that a retirement income crisis exists in this nation and that it is worsening. Today's workers—the retirees of the future—have a major stake in ending that crisis.

In addition, the report discusses many issues which should receive careful attention during the local, state, and Federal planning which will culminate in the White House Conference on Aging in November 1971. As the report makes abundantly clear, many grave issues—and many splendid opportunities for fulfillment in the later years of life—should be on the agenda for attention in the months ahead.

Finally, the report discusses emerging problems areas, such as transportation needs and cutbacks in funding levels.

Mr. President, I hope that the report will receive widespread attention. It is much too lengthy for reproduction here, but the forward to that report and the summary of its major findings and recommendations follow this statement.

FOREWORD

Are older Americans losing the struggle to secure and maintain adequate retirement income?

That question necessarily overshadows all other issues on the pages that follow. And rightly so.

Over the past year, the Committee on Aging has issued reports and taken testimony on the "Economics of Aging: Toward a Full Share in Abundance."

Never before has such intensive congressional attention been paid to what might be called the personal economics of the elderly in this Nation.

We've paid attention, yes, to the national statistics.

But we have also heard directly from the elderly themselves, or from people who work with them every day.

We have met the widow who tries to live on less than \$100, or even \$60 a month.

We've heard, again and again, from elderly individuals and couples who say they must choose each day between food for the table or prescription drugs for their ailments.

We've listened to homeowners who say they can't afford to pay the property taxes that double or triple in just a few years.

Many who speak have been poor, or nearly poor, all their lives. Many did not become poor until they became old.

But, no matter what their prior history, more than one-third of all Americans past age 65 live in poverty or near poverty.

And for those whose incomes are well above such levels, retirement security is too often elusive.

Medicare covers less than 50 percent of total medical expenses of the elderly; the threat of losing the "nest egg" because of health problems is still very real.

Inflation takes a severe toll among those who try to live on fixed income.

For those ready to find a substitute for homeownership, there may be no rental units at prices they can afford.

The Committee on Aging has not yet completed its hearings on "Economics of Aging." It has not yet decided what its final recommendations will be.

But already it is clear that the committee has a major responsibility. It must alert the Nation to the fact that a retirement income crisis exists. Today, the great majority of this Nation's 20 million older Americans feel its consequence. And, unless major policy changes are made, the number will increase markedly.

Today's workers—men and women only 15 or 20 years away from retirement—thus have a major stake in the "Economics of Aging."

Vast as that subject is, however, it cannot encompass all developments in aging for 1969. Neither can this brief introduction.

Other major happenings and decisions are described on the following pages. But here, one additional issue is worthy of note. Very briefly, it is this:

There appears to be some danger that a psychology of retrenchment is taking hold in programs meant to serve the elderly. That psychology should be resisted, especially in view of the fact that a White House Conference on Aging is to be conducted in November 1971. What is needed in the months before that Conference is bold and farsighted planning and action, not a spirit of retreat or apology.

Concern about the future is caused partially by statements¹ attributed to high-ranking members of the Administration which took office in January 1969. In essence, the statements seem to suggest that the Federal commitment to the elderly be reduced in favor of a greater commitment to the youth of this Nation.

Sharp criticism² has been directed at such statements because the comparison of the Federal commitment has been inaccurate and misleading and because it is clear that there should be no "either-or" decisions made on behalf of one group at the expense of the other.

Fortunately, the present U.S. Commissioner on Aging has said that such reports do not accurately state the views of the present Administration.³ In addition, the Commissioner has made other statements clearly indicating that he believes the U.S. Administration on Aging should fulfill a much more far-ranging mission than it now does.⁴ Such statements are heartening, but never-

theless there is reason for concern. Funding for the Administration on Aging suffered sharp setbacks during 1969. Housing programs for the elderly have apparently received lower priority, and may be in danger. Research on aging is underfunded. The Age Discrimination in Employment Act has not been implemented as fully as it should have been. And, despite Medicare, health care is sometimes not available—or too costly.

FOOTNOTES

¹ The Wall Street Journal of June 10, for example, gave prominent position to an article which began with these words: "The Nixon Administration is embarking on a determined but politically difficult campaign to shift the Federal welfare focus from aiding the aged to caring for kids." The same article quoted Robert Finch, Secretary of Health, Education, and Welfare, as saying: "I'd like to see a great chunk of resources put in at the lower end of the age spectrum and hold (spending) at the top end."

Parade magazine of June 15, 1969, in an article called: "As Secretary Bob Finch Sees It: Serve the Young First," quoted Secretary Finch as saying: "There are four times as many young people as aged in the United States, but Federal benefits and services of all kinds in 1970 will average about \$1,750 per aged person and only \$190 per young person." The article added "In the language of the moment, he (Secretary Finch) wants to 'realize the priorities.'"

The Washington Post, in an article on September 9, 1969, entitled "New Health Plan Puts Emphasis on the Young," said: "Nixon Administration planners have devised a 5-year blueprint that would expand federally financed health care for the young, rather than for elderly persons who already have the benefits of Medicare."

² For example, Mr. Theodor Schuchat, retirement editor of the North American Newspaper Alliance, said the following in testimony before the U.S. Senate Special Committee on Aging: "He (Secretary Finch) does not explain that 85 percent of the Federal expenditures for older people currently come from trust funds to which the elderly themselves contributed heavily during their working years * * *. He (Secretary Finch) has tried to tell the American people that the Federal Government is spending \$10 for each older person and only \$1 for each child. The ratio of 10 to 1 that he apparently decries falls to a ratio of only 2 to 1, however, if we exclude the trust funds expenditures and stick to expenditures from general revenues."

Delegates present on the final day of the 22d Annual University of Michigan Conference on Aging made similar criticisms in a resolution passed on June 11. The resolution called upon President Nixon "to express the philosophy and the commitment of the present Administration to the interests and problems of the more than 20 million Americans now age 65 or over and the many other millions soon to reach that age."

³ John Martin, present Commissioner of Aging and Special Assistant to the President on Aging, on June 29 issued a statement responding to the resolution approved at the annual Michigan conference on aging. (See footnote 2.) He said: "I can assure you that Secretary Finch has no intention of downgrading the aging. This whole idea arose out of some figures used in connection with the creation of an Office of Child Development in HEW. His comments were aimed at the importance of adequate attention to the earliest years of child life and he did not intend in any way to pit the needs of older Americans against those of younger Americans." ⁴ See ch. 11 for additional discussion.

CONTINUATION OF LETTER

Cost cutting in Federal programs may be necessary, of course. But the prospect of wholesale scuttling of programs—many of them just beginning to yield important social dividends after years of "tooling-in"—is something else.

The people of the United States now face a period of reevaluation in our thinking about Federal efforts on behalf of older Americans.

That period can be a healthful, stimulating interval leading to a productive and pioneering White House Conference on Aging to be held, at the request of Congress, in November 1971.

Or, that period can be one of uncertainty and lost opportunities. Gloomy as that prospect is, it is possible.

There are, however, strong arguments against it. For one thing, the field of aging has strong dynamics. It is growing as the number of older Americans grows. It grows, because our understanding of the social and personal meaning of aging is increasing. It grows because the United States wants a full and satisfying life for all its citizens, no matter how many, or how few, birthdays they have had.

For these reasons, we can be confident. But for the next 15 months in particular, we should also be watchful.

HARRISON A. WILLIAMS, JR.,
Chairman, Special Committee on Aging.

INTRODUCTION AND SUMMARY

A far-reaching and deepening retirement income crisis continues to be the No. 1 problem confronting most of the Nation's 20 million older Americans.

Moreover, the evidence is abundantly clear that this retirement income gap is not a transitional problem that, given present trends, will resolve itself in the foreseeable future.

Approximately 5 million senior citizens live in poverty; yet, many did not become poor until they became old.

Recognizing the need for comprehensive and prompt action to meet these formidable problems, the Senate Special Committee on Aging will seek innovative and far-reaching solutions in the finale of its overall study of the "Economics of Aging: Toward a Full Share in Abundance" during 1970.

The committee, however, also recognizes that health care problems are intensifying other problems affecting older Americans, despite the vital protection given by Medicare.

In addition, this report describes chronic problems faced by the older worker, the emerging awareness of neglected nutritional needs among elderly Americans, the special problem of transportation for aged Americans in both rural and urban areas, the potential usefulness of the model cities program to those in later years, and the place and problems of the elderly in rural America.

These developments—and committee studies—are taking place as advance planning begins for a White House Conference on Aging in November 1971.

I. MAJOR LEGISLATIVE AND ADMINISTRATION ACTIONS

A 15-percent across-the-board increase in Social Security benefits provided a stopgap measure to prevent further erosion of retirement income because of inflation. Further improvements and reforms will be considered by the Congress during 1970.

Other major developments during 1969 include—

Enactment of the Older Americans Act Amendments of 1969 to provide new programs to meet the needs of senior citizens

and to increase substantially the authorizations for existing programs.

Reduction in appropriation levels for programs under the Older Americans Act in comparison with fiscal 1969.

Passage of a Tax Reform Act which will benefit many older persons by removing millions of elderly persons from the tax rolls through a new low-income allowance and by increasing the personal exemption deduction in three steps for persons 65 and older from \$1,200 to \$1,500.

A \$4.8 billion authorization for housing and urban development programs through fiscal year 1971, including an authorization of \$150 million in direct loans for housing for the elderly and an increase from \$100 million to \$125 million for amounts authorized in fiscal 1970 and 1971 in contract authority for the section 235 low-income homeownership program and the section 236 low-income rental assistance program.

Extension of the SOS (senior opportunities and services) and Mainstream programs under the Economic Opportunity Act.

Improvements in the civil service annuity program.

Announcement for the holding of a White House Conference on Aging in November 1971.

Appointment of John B. Martin as Commissioner on Aging and Special Assistant to the President on Aging.

Investigation of profiteering and laxity in the Medicare and Medicaid programs.

Announcement of an increase in premiums under part B (medical insurance) of Medicare to be effective July 1, 1970—from \$4.00 per month to \$5.30.

II. COMMITTEE AND SUBCOMMITTEE STUDIES

Members of the Senate Special Committee on Aging were involved in many of the developments listed above. In addition, the following hearings were conducted during 1969:

Economics of Aging: Toward a Full Share in Abundance:

Part 1. Washington, D.C., April 29–30, 1969.

Part 2. Ann Arbor, Mich., Consumer Aspects, June 9, 1969.

Part 3. Washington, D.C., Health Aspects, July 17–18, 1969.

Part 4. Washington, D.C., Homeownership Aspects, July 31–August 1, 1969.

Part 5. Paramus, N.J., August 14, 1969.

Part 6. Cape May, N.J., August 15, 1969.

Part 7. Washington, D.C., International Perspectives, August 25, 1969.

Part 8. Washington, D.C., National Organizations, October 29, 1969.

Part 9. Washington, D.C., Employment Aspects, December 18–19, 1969.

The Federal Role in Encouraging Pre-Retirement Counseling and New Work Lifetime Patterns: Washington, D.C., July 25, 1969.

Trends in Long-Term Care:

Part 1. Washington, D.C., July 30, 1969.

Part 2. St. Petersburg, Fla., January 9, 1970.

Part 3. Hartford, Conn., January 15, 1970. Older Americans in Rural Areas:

Part 1. Des Moines, Iowa, September 8, 1969.

Part 2. Majestic-Freeburn, Ky., September 12, 1969.

Part 3. Flemming, Ky., September 12, 1969.

Part 4. New Albany, Ind., September 16, 1969.

Part 5. Greenwood, Miss., October 9, 1969.

Part 6. Little Rock, Ark., October 10, 1969.

Usefulness of the Model Cities Program to the Elderly:

Part 6. Boston, Mass., July 11, 1969.

Part 7. Washington, D.C., October 14–15, 1969.

Usefulness and Availability of Federal Programs and Services to Elderly Mexican Americans:

Part 4. Washington, D.C., January 14–15, 1969.

Part 5. Washington, D.C., November 20–21, 1969.

Hearings before the Special Subcommittee on Aging of the U.S. Senate Committee on Labor and Public Welfare, available from the Special Committee on Aging:

Amending the Older Americans Act of 1965—S. 268, S. 2120, and H.R. 11235, Public Law 91–69, June 19, 1969.

Hearing held by Select Committee on Nutrition and Human Needs in cooperation with the Senate Special Committee on Aging, Nutrition and the Aged, Washington, D.C., September 9–11, 1969.

III. CONCLUSIONS OR RECOMMENDATIONS

Chapter and conclusions or recommendations

I. A far-reaching and deepening income crisis remains as major policy changes are made—the elderly of the future.

I. Major reform in the Social Security system is recommended in order that older Americans today and in the future may share in the economic abundance they have created.

In thus recommending, the committee is in complete agreement with the following basic conclusions of its task on the Economics of Aging:

A reasonable definition of adequacy demands that the aged population, both now and in the future, be assured a share in the growth of the economy.

Such assurance can best be provided, or can only be provided, through governmental programs, particularly the social insurance system of OASDHI, which carry commitments for future older Americans—the workers of today—as well as for this generation of the aged.

Use of general revenues, as a more equitable basis for financing part of the costs of an improved Social Security system, should receive serious Congressional consideration.

We should now be exploring methods whereby retirement benefits can be adjusted to reflect productivity, not just rising prices. And at a minimum and without further delay, these urgently needed changes in the Social Security system should be made:

A widow's benefit at age 65 equal to 100 percent of the husband's benefit.

An increase in minimum benefits.

A higher base for taxing and crediting earnings.

A modernization and liberalization of the retirement test.

II. Coinsurance and deductibles continue to be a major problem to users of the Medicare program. Action should be taken by the Social Security Advisory Council at the earliest possible date to review costs of reducing or eliminating these features of Medicare, beyond estimates now available. The advisory committee should also provide a thorough analysis of the costs of combining parts A and B and removing the part B premium. Included in their presentation should be some discussion of the best possible use of general revenue funding to achieve these objectives.

II. More than 3 years have passed since establishment of an HEW task force on prescription drugs under Medicare. To date, the new administration has not offered legislation to carry out recommendations of the task force or its own review committee. It is urgent, however, that legislation be introduced at the earliest possible date for thorough evaluation before appropriate congressional units. This legislation should provide, as the Committee on Aging Advisory Committee recommended, for extension of Medi-

care benefits to cover those drugs that are important for treatment of chronic diseases that commonly affect the elderly.

II. "Nonassignment" is causing serious problems for many Medicare patients. Those physicians who do accept assignment, moreover, may decide in increasing numbers that they should discontinue the practice to ease their own work pressures. Serious consideration should be given to legislation or other steps which will provide incentives for physicians to take assignment.

The HIBAC recommendations on home health services would reduce costs to the Medicare program and to individual older Americans. Utilization review mechanisms for home health agencies should be developed, and the Social Security Administration should take additional steps to provide models for the development of home health services as major resources in communitywide health service systems.

II. Recognizing that older Americans are especially hard-hit by deficiencies in the Medicaid program—and yet fully aware of the alarming rise in costs of this program, the Senate Special Committee on Aging believes that thoroughgoing reform, rather than sporadic and highly damaging cutbacks, is required. Evaluations now underway—together with pledges by the present Administration to implement reforms—hold out the hope that such action will be undertaken.

II. The Senate Committee on Aging renews its recommendation that the Medicare requirement of 3 days of hospitalization before extended care can begin be reexamined, along with other barriers to full utilization of alternatives to costly hospital care. Incentives to expansion and utilization of prepaid group health practice should also be implemented.

Chapter and Conclusions or Recommendations

II. National discussion about the need for a national health insurance program can serve a vital function if it turns public, professional, and governmental attention to actions that must be taken to remedy deficiencies which have become more apparent as more and more Federal funds have been committed to health care.

The people of this Nation now have an opportunity to transform public concern into positive action and reform. Corrective action should begin with Medicare and Medicaid, and it should aim at long-range improvement, rather than hasty retrenchment.

III. A new national nutrition survey—now underway—should be used to document and dramatize food needs and problems of the elderly. Every effort should be made by the Administration on Aging—and by other appropriate Federal agencies—to get the facts to both the old and the young.

III. Lessons learned from the AoA nutrition projects are too important to be overlooked. Additional efforts should be made by the AoA—working in conjunction with State and local government, as well as private agencies, to establish permanent arrangements for meal service programs as an important part of community service programs for the elderly.

IV. Significantly, no funds were requested by the Administration for 202 (Direct Loan Housing Program) and the Appropriations Committees of the Congress accordingly deleted even the diminutive \$25 million appropriation that 202 had received in fiscal year 1969.

VI. Transportation problems among older Americans have reached the critical stage in many metropolitan and rural regions of the United States. Federal agencies have made a beginning in identifying problems, initiat-

ing research, and conducting pilot programs to test systems and concepts. The overall problem, however, is so serious that the following additional actions should be taken:

Technical assistance should be provided by appropriate Federal agencies to acquaint municipal governing bodies and private transportation managers with facts about transit barriers, special needs of the elderly and the handicapped, and new transportation concepts which would benefit, not only the elderly, but all persons who use public transportation.

The Urban Mass Transit Administration should submit to the Congress its recommendations for removing travel barriers and using existing and potential mass transit legislation to promote worthwhile social purposes, including those discussed in this chapter.

Provision should be made in planning the 1971 White House Conference on Aging for a preliminary report on transportation, to be prepared by a panel capable of giving adequate attention to sociological, technical, and psychological aspects of the subject. Every attempt should be made to show the relationship of transportation to service programs, existing or contemplated, for older Americans.

VII. Additional study will be given by the Committee on Aging to the elderly in rural areas of this Nation. Hearings thus far indicate that this subject should also receive intensive attention at the White House Conference on Aging in 1971 and in preliminary State conferences.

VIII. Additional attention will be given by this committee in the near future to the usefulness of the model cities program to the elderly. For this interim summary, it is enough to say that

(1) The new administration has taken steps which indicate an awareness of the need for the program to serve the elderly, and

(2) Additional attention must be paid, however, to unique problems and opportunities that exist among this vulnerable group.

IX. If current labor force participation trends continue, one out of every six men in the 55-to-64 age category will no longer be in the work force by the time he reaches his 64th birthday. Ten years ago this ratio was only one out of eight.

IX. Many older workers are unemployed because:

They are not equipped for the jobs in modern technology.

They lack the necessary training to move into gainful employment.

They live where jobs no longer exist.

They are seeking the employment of a bygone era.

Many of these older persons can become as productive as their younger counterparts with a flexible and comprehensive training program which is adequately funded and staffed.

Within the next 10 years, our Nation will have to train and retrain substantially more people for jobs than we do now, since industries will be changing manufacturing techniques and products more rapidly than 10 years ago. Ten years from now that pace will be even more accelerated.

IX. Although some progress has been made since the ADEA became operational, a great deal more remains to be done in order to achieve compliance with the act. A rapid increase in staff to enforce the act is urgently needed if the law is to be enforced effectively. Secondly, the study regarding the institutional and other arrangements giving rise to involuntary retirement should be undertaken as expeditiously as possible. If specific funding is necessary to undertake the study, it is

incumbent upon the Department to request the needed appropriations.

IX. Although employment opportunities are limited for many disadvantaged older workers, several measures can at least help to equalize the older worker's opportunities for employment with those of others in the work force.

First, it is recommended that a Middle-Age and Older Workers Full Employment Act, similar to that introduced in the Senate (S. 4180) in 1968, be enacted and adequately implemented in order to provide a comprehensive program of employment services and opportunities for persons 45 years of age or older.

Second, there are effective ways of training and retraining older persons if we have the will to do it.

Third, additional efforts must be taken to encourage policies that will keep mature workers effectively informed about the labor market.

Fourth, the matter of pension rights needs prompt and definitive action.

Fifth, experimentation should be undertaken to provide workers 55 and over with extended unemployment benefits when they lose their jobs because of plant shutdowns, layoffs, relocations, or mergers.

IX. The 2-year period for the Senior AIDES program is drawing to an end, and limited funding may soon threaten others.

Therefore, a vital need exists for establishing the national program to continue and broaden the fine work so well demonstrated in the pioneering projects.

The committee renews its recommendations for enactment of legislation for a national Older Americans Community Service program.

XI. The cutback in the fiscal 1970 appropriations for programs for the aging represents a serious turn of events, which could possibly nullify to a substantial degree the accomplishments made under the Older Americans Act during its first 4 years. It is recommended that the funding for the AoA programs be increased substantially to fulfill the intent of the Congress as expressed in the 1969 amendments.

XI. Four years of successful operations have amply demonstrated the need for the title III programs, but significant increases in appropriations are necessary to enable many more older Americans to benefit from these successful projects.

XI. Many pilot programs have already demonstrated that older persons can make valuable contributions in a wide variety of public service type activities. However, without funds for RSVP, many older Americans will continue to be excluded from purposeful activities in their communities.

XI. The need for personnel with specialized knowledge in the field of aging is reaching emergency proportions. An immediate all-out effort on the part of Government and educational institutions is essential if the situation is to be improved. Implementation of the recommendations contained in "The Demand for Personnel and Training in the Field of Aging" should be the very minimum action taken to meet the need for trained personnel in programs serving the elderly. Omnibus legislation for this purpose should be introduced at the earliest feasible date.

XI. The variety of issues, policy questions, and research areas present cogent reasons for continuing work in the field of research and demonstration. Identification of such questions can be a significant step in continuing to expand our knowledge about the problems of the elderly and recommendations for improvement. To make this goal a reality, vitally needed funding will be necessary to meet the policy goals established in authorization legislation.

XI. At the end of 1969 only 23 months remained before the scheduled (White House) conference in November 1971. Because of the substantial number of activities to be planned, coordinated, and carried out during this time, it is essential that additional steps must be taken immediately to lay the groundwork for the conference. Additional funding and planning will be necessary to enable private organizations, individuals, and Federal, State, and local governments to plan and develop action programs to identify and make recommendations to meet the needs of older Americans.

XI. In terms of policy enunciation, the AoA commissioner has set major tasks for that agency. The role of AoA, however, remains ambiguous. Its funding levels are lower than required for healthy growth of State and community programs. It does not have the visibility envisioned for it by the Congress. Serious thought should be given, before and during the White House Conference on Aging in 1971, to far-reaching proposals for constructive change that will enable the AoA to fulfill the vital missions assigned to it.

XII. It is increasingly apparent that legislation will be necessary to provide the impetus for the Federal Government to prepare older workers for their retirement years. Prompt enactment of the Federal Employees Retirement Assistance Act, S. 2554, would be a major step in helping Federal employees make the crucial adjustments in preparing for their retirement.

XII. Several pilot programs conducted by the Federal Government and private non-profit organizations have amply demonstrated the benefits to be derived from a pre-retirement planning program.

XII. As traditional work lifetime patterns change very rapidly and dramatically, new knowledge is essential to consider these issues in their proper perspective. It is recommended that Federal actions be taken in order to provide valuable pilot projects and research findings that will prove useful for future policy decisions in this crucial area.

TERRORISTIC ACTIVITIES

Mr. MILLER. Mr. President, at 9 o'clock this morning, nine people were injured, one critically, in a bomb explosion in Ames, Iowa, which damaged the municipal building which houses the police department. On May 13, the police station in Des Moines, Iowa, was seriously damaged by a dynamite blast, with one person injured.

These terroristic activities in my own State are being repeated throughout the country, and they prompt me to call upon the Senate and House Committees on the Judiciary to act without further delay on President Nixon's proposals to strengthen the laws concerning illegal use, transportation, or possession of explosives, and the penalties for such activities.

These criminal incidents underscore the threats of self-proclaimed "revolutionaries" in our country who have no interest in our country except to destroy it.

Legislation incorporating these proposals was introduced on March 26. The sooner it is acted upon, the sooner our law enforcement officers can move more effectively to prevent or punish these crimes.

PERMISSION FOR COMMITTEES TO FILE REPORTS TOGETHER WITH MINORITY, INDIVIDUAL, AND SUPPLEMENTAL VIEWS, AND AUTHORIZATION FOR THE SECRETARY OF THE SENATE TO RECEIVE MESSAGES FROM THE PRESIDENT AND FROM THE HOUSE OF REPRESENTATIVES

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the adjournment of the Senate following the completion of business today until the Senate convenes on Monday next that all committees of the Senate be permitted to file their reports together with any minority, individual and supplemental views and that the Secretary of the Senate be authorized to receive messages from the President of the United States and from the House of Representatives and that it be in order for them to be appropriately referred.

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

PROGRAM

Mr. BYRD of West Virginia. Mr. President, Senators are reminded that there will be a vote on the pending question on Tuesday next at 2 p.m. I am authorized on the part of the majority leader to say that Senators on this side of the aisle will be notified by the majority leader's office with respect to the vote,

but I think the RECORD should amply show there will be a vote at 2 o'clock on next Tuesday afternoon, and that the yeas and nays have already been ordered on the question.

ADJOURNMENT TO MONDAY, MAY 25, 1970, AT 11:30 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11:30 a.m. on Monday next.

The motion was agreed to; and (at 3 o'clock and 30 minutes p.m.) the Senate adjourned until Monday, May 25, 1970, at 11:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 22, 1970:

U.S. MARSHALS

Edward S. King, of New York, to be U.S. marshal for the Western District of New York for the term of 4 years, Vice Alvin Grossman.

P. Ellis Almond, of North Carolina, to be U.S. marshal for the Middle District of North Carolina for the term of 4 years, vice Fred C. Sink, resigned.

IN THE AIR FORCE

The following officer to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10 of the United States Code:

Gen. James Ferguson, XXXX FR (major general, Regular Air Force) U.S. Air Force.

The following-named officers to be assigned to positions of importance and responsibility designated by the President in the grade indicated, under the provisions of section 8066, title 10, United States Code:

In the grade of general

Lt. Gen. Lucius D. Clay, Jr., XXX-XX-XXXX FR (major general, Regular Air Force) U.S. Air Force.

In the grade of lieutenant general

Maj. Gen. Richard H. Ellis, XXX-XX-XXXX FR (colonel, regular Air Force) U.S. Air Force.

Maj. Gen. Sam J. Byerley, XXX-XX-XXXX FR, Regular Air Force.

Maj. Gen. Robert J. Dixon, XXX-XX-XXXX FR, Regular Air Force.

Lt. Gen. Austin J. Russell, XXX-XX-XXXX FR (major general, Regular Air Force) U.S. Air Force, to be senior Air Force member, Military Staff Committee, United Nations, under the provisions of section 711, title 10 of the United States Code.

IN THE NAVY

Rear Adm. John P. Weinel, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

IN THE MARINE CORPS

In accordance with the provisions of title 10, United States Code, section 5232, Maj. Gen. John R. Chaisson, U.S. Marine Corps, having been designated for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade of lieutenant general while so serving.

EXTENSIONS OF REMARKS

TWO INTERESTING EDITORIALS RELATING TO THE WAR FRONT AND OUR CAMPUS DISORDERS

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 1970

Mr. MICHEL. Mr. Speaker, the news media has been literally saturated in recent weeks with reports from the war front as well as the disorders on our campuses in certain sections of the country. Two editorials appearing in the May 13, 1970, edition of the Peoria Journal Star make some interesting observations relating to both items. I insert the text of the editorials in the RECORD at this point:

BATTLEFIELD NEWS BOOSTS NIXON

(By C. L. Dancy)

With the original Cambodian announcement, President Nixon's public support sagged, according to poll samples, to a record low of 51 per cent.

After a week of campus demonstrations and a blizzard of TV "specials" containing what Spiro Agnew called with a good deal of accurate word choice—"revolutionary theater"—the polls shifted to where Nixon has suddenly surged to a support of two to one.

Does this mean that the demonstration technique is an effective political tool—but chiefly effective at repelling people, not convincing them?

Does this mean that the TV skeptics who

sneered at the President's explanation and forecast of events and then generally treated every radical interview and its contrived propaganda pitch as "the true word" thereby succeeded chiefly in turning a lot of stomachs?

Both such things happened obviously to some extent, but the switch goes a good bit deeper than that.

It may be that a lot of Americans decided, upon exposure, that we really might not last too long adopting a new style of democracy—one in which foreign policy is made and changed day by day depending on what "cause" produces the biggest campus combination rock festival and rally.

However, counter-reaction was not the "gut" of the matter . . . not as to the war. (It may be reflected profoundly as to public attitude to schools as time goes on, but that's another matter.)

The reality of what actually happened on the fighting front—reality of continued low casualties and the reality of the huge war center that had been sheltered in the fake "neutral" area of Cambodia—had more influence with more people than all the kinds of propaganda put together.

The evidence turned out to be all on Mr. Nixon's side.

If it hadn't, he would have been finished, and it wouldn't have required a single campus rally.

Genuine events are what "is meaningful" in this world—not artificial ones. If college doesn't teach that, it misses the boat.

COLLEGE PRESIDENTS PASSED THE BUCK

(By C. L. Dancy)

The Kent State tragedy was followed by a new record in irresponsibility and "passing

the buck" when 37 college presidents tried to lay the blame for their campus problems at President Nixon's doorstep as all being caused by the Cambodian decision.

Thus these men avoid facing up to the areas of their own responsibilities and supposed competence to invade an area where they possess neither competence nor responsibility.

They are accessories to the "crime" of creating these conditions, trying to pass the buck on to a President in a troubled world.

This was not the first college riot nor the first ROTC building to be burned, and to seek out an immediate dodge in today's news for this particular one is copping out on the basic problem.

Beyond that, these folks ought to be grown up enough to realize that military strategy and foreign affairs present a task about like that of a football quarterback, with about the same percentages in terms of calling "long gainers", losses, and disappointing one and two yarders. It's a touchy business.

Hence, there is only one thing worse than an experienced professional strategist in terms of results. That is an inexperienced amateur strategist.

Sooner or later we all discover that presidents, joint chiefs of staff, the national security council, U.S. senators, and all are capable of making mistakes. This discovery is hardly the basis for assuming that half-educated students, or even college presidents are therefore supermen.

It ought to be the basis for greater humility, not greater arrogance.

It ought to make us aware of how likely WE are to make mistakes of how ignorant we are. It is hardly the basis for leaping into efforts to impose decisions made by people