Albert E. Knauf, Jr.	Anthony P. Pyrz
John W. Koletty	Thomas A. Ridenour
Joseph P. Kosciusko	Dennis J. Sellers
Richard E. Kramer	Dennis A. Shantz
David B. Kuhn, Jr.	Charles F. Shaw, Jr.
Richard A. Leary	Thomas R. Sheckells
Anthony G. Livic	Michael T. Shulick
Gordon A. Long	Grover C. Starling
John A. Madia	Jerry R. Stockton
David V. Mastran	Francis P. Tantalo
Walter H. Oehrlein	Thomas D. Thompson
Richard M. Osgood, Jr.	Terrence R. Tutchings
	James R. Webb III
Karl J. Plotkin	Richard G. Wirth
Frank J. Prokop	Adolf H. Zabka
Richard E. Pullen	Andrew A. Zaleski II

The following midshipmen, U.S. Naval Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 8284, title 10, United States Code. Date of rank to be determined by the Secretary of the Air Force:

Richard D. Bayer	Boyd K. Knowles
Robert F. Cook	Thomas O. Koch
Robert D. Hennessy	Bernd McConnell
Jan M. Jobanek	Nicholas A. Paldino
Henry B. Keese	Furman E. Thomas

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 26, 1965

The House met at 12 o'clock noon.

Archbishop Hrant Katchadoorian, prelate of Armenians of North America, offered the following prayer:

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

Almighty God, divine Guide of all nations and people, direct us along the path of justice and honor in the conduct of our daily affairs. Shower Thy blessings on this noble Nation so that it may continue to shine with a warm brilliance amidst the darkening clouds of tyranny and oppression. Give of Thy eternal wisdom to the several Members of this august body, that they may be inspired toward a greatness of purpose, that they may be ennobled in the urgent search for peace, freedom, and justice for all of mankind.

In particular, we beseech Thee, O God, to be mindful of the Armenian people who this year sorrowfully commemorate the 50th anniversary of the martyrdom of one and a half million Armenians in the Turkish massacres of 1915. Mindful of the teachings of Thy Son, our Lord, Jesus Christ, we ask not for retribution or vengeance but for repentance and redemption. The Armenians have suffered too long the pain of tyranny and oppression. They, too, wish to share in Thy most precious gifts of liberty and justice. Their once joyous land, that nation of Christian warrors, O Lord, is now but a barren wasteland of sad and painful memories. Grant that they and Thy other homeless children be soon given the hope and reality of freedom.

We pray, Almighty God, that never again on this earth will the horror of genocide afflict any of Thy children. Spare them, through Thy divine intercession, the pain and grief which we try to forget but in our human weakness cannot.

Grant to all of the nations of the family of mankind, the compassion and love which Thy Son offered to us through His sacrifice, that we may live freely with joy and happiness amidst all the glories of Thy creation. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, April 22, 1965, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On April 11, 1965:

H.R. 2362. An act to strengthen and improve educational quality and educational opportunities in the Nation's elementary and secondary schools.

On April 16, 1965:

H.R. 5721. An act to amend the Agricultural Adjustment Act of 1938, as amended, to provide for acreage-poundage marketing quotas for tobacco, to amend the tobacco price support provisions of the Agricultural Act of 1949, as amended, and for other purposes.

On April 20, 1965:

H.R. 4527. An act to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 327. An act to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

The message also announced that the Senate disagrees to the amendments of the House to the joint resolution (S.J. Res. 1) entitled "Joint resolution proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BAYH, Mr. EASTLAND, Mr. ERVIN, Mr. DIRKSEN, and Mr. HRUSKA to be the conferees on the part of the Senate.

COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency have permission to sit today while the House is in session, during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CONSENT CALENDAR

The SPEAKER. Pursuant to the unanimous-consent request of April 14, the Consent Calendar and the Private Calendar will be called today.

The Clerk will call the first bill on the Consent Calendar.

SECTION 502 OF THE MERCHANT MARINE ACT

The Clerk called the bill (H.R. 4346) to amend section 502 of the Merchant Marine Act, 1936, relating to construction differential subsidies.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to ask someone how much longer it is anticipated it will be necessary to pay a 60-percent subsidy for the construction of passenger vessels and 55-percent subsidies for the construction of freight and other vessels.

Mr. BONNER. Mr. Speaker, let me say as chairman of the Committee on Merchant Marine and Fisheries that the gentleman raises a very good question. If we are going to have an American merchant marine, we are going to have to subsidize the construction of vessels and the operation of American-flag vessels. So you can take your choice. We recently held hearings and were advised by high officials of the Navy that the American merchant marine was essential to the operation of the national defense. This bill is a continuation of the existing law. It extends it for 1 year. It is just that plain, I say to my fine friend; we are going to have to have this or we are just not going to construct any more vessels.

Mr. GROSS. Would the distinguished gentleman from North Carolina be able to give us any assurance that these subsidies can be reduced in the foreseeable future or must they continue at the high rate of 55 and 60 percent?

Mr. BONNER. There is a matter of accelerating costs under the situations that now exist. The gentleman knows what those costs are due to.

Mr. GROSS. In other words, if inflation continues in this country——

Mr. BONNER. I do not think it is inflation so much. I think it is the manner in which they operate with respect to labor contracts.

Mr. GROSS. Of course, inflation and increasing costs enter into that.

Mr. BONNER. If you want to call that inflation then, of course, that is your privilege. I am not opposed to unionism, but we do have a difficult time keeping our ships and our merchant marine operating. We have difficulty on the shore side as well as the floating side.

So, I feel very much concerned about this. I know we must have these ships and I know the position of the gentleman from Iowa.

Mr. GROSS. One further question: Are the American shipyard owners spending any money to modernize the shipyards of this country to meet the modernization and lower costs of foreign yards?

Mr. BONNER. If the gentleman will yield further, I believe we have good management in our American yards. I believe they have modern equipment.

They have tried to stay abreast of the advance in technology and engineering. The gentleman from Iowa can visit the yards themselves. I would be delighted to have the gentleman go with us sometime. The gentleman served on this committee and he knows our problems in connection with this matter.

Mr. GROSS. Is the gentleman from North Carolina speaking of foreign yards or the domestic yards in extending to the gentleman from Iowa that invitation?

Mr. BONNER. Under the prevailing arrangements we did help build some very nice foreign yards. But it is not the yard itself, but the cost of material and the necessary manpower to construct the vessels.

Mr. GROSS. I thank the gentleman from North Carolina for his explanation.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 4346

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in the second sentence of subsection (b) of section 502 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1152(b)), is amended by striking out "June 30, 1965," and inserting in lieu thereof "June 30, 1966."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BENEFITS FOR DISABILITY IN LINE OF DUTY

The Clerk called the bill (H.R. 3413) to amend section 106 of title 38 of the United States Code to provide that individuals who incur a disability in line of duty during certain service shall be entitled to certain veterans' benefits.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to ask the honorable chairman of the Committee on Veterans' Affairs, the gentleman from Texas [Mr. TEAGUE], about the Civil Service Commission being opposed to this bill and so reported in the hearing on the same, on the basis that this represents five more points than a nondisabled ex-serviceman receives for a rating on examination. Secondly, with reference to the late filing privileges for examination and, finally, as a member of the Committee on Armed Services who just happens to be in this position here today, I would like to have a little discussion from the distinguished chairman about the question as to whether or not this would do away with prior elimination of certain veterans' rights for those who have served less than 90 days in peacetime and whether it would apply to those who are in for training and in order to meet a commitment only under the new 60-day and 8-year Reserve or Guard Training Act, and whether this applies to members of the Selective Service, commonly called draftees?

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Speaker, this bill does one very simple thing. An American citizen up in the hills of Arkansas was ordered to an induction station to be inducted into the armed services. On the way to this induction station he was involved in a bus wreck and was injured.

The Veterans' Administration says he has a service-connected disability and they pay him service-connected disability. But he does not have a discharge because he was never inducted and the Civil Service Commission will not give him veterans' preference.

This bill proposes to do that one single thing of granting to this man a service-connected rating as far as the Civil Service Commission is concerned.

It does not affect the 90-day rule and it does not affect the 6-month inductee or anything of that nature. As far as our committee knows it only applies to one person.

Mr. HALL. Mr. Speaker, if I may query further, it would of course, establish the tradition and the precedent for future similar instances whether they are inductees or the man is being inducted and traveling from the hills of Arkansas to an induction center in the hills of Missouri, is that correct?

Mr. TEAGUE of Texas. That is correct. Here is one department of the Government saying that he is service connected and another branch saying no. If a man is to be inducted and on the way to his induction center he is injured, there should be some disability allowance made.

Mr. HALL. Does the gentleman have any further comment on his being given a 5-point or a 10-point preference?

Mr. TEAGUE of Texas. Yes, he would be given 10 points.

Mr. HALL. Part of the objection of the Civil Service Commission is that he would have five points more than another individual might have.

Mr. TEAGUE of Texas. He has no veteran preference today. He is not considered to be a veteran.

Mr. HALL. But he is going from zero to 10 over those who have only 5 points.

Mr. TEAGUE of Texas. If a man has a service-connected disability he gets 10 points, and if he is simply a veteran he would get only 5 points.

Mr. HALL. Let me clarify this a little further. You are giving the service connection by fiat even though he has not been inducted or has not served, whereas a man who had served maybe 2 years as a draftee but is nonservice connected would have only 5 points.

Mr. TEAGUE of Texas. If a man lives in a city large enough to have an induction center and reports for induction and subsequently is sent to a military post and is in an accident en route, he would be disabled and receive service-connected disability compensation.

On the other hand, a man who must travel a great distance to the induction station, and is injured en route, prior to induction, would not be treated the same.

Mr. HALL. The gentleman feels it would not have any effect on the general laws administered by the Veterans' Administration, and the enlistment or enrollment in the military or naval service, selection by the draft, or the length of time served in a capacity other than in time of emergency or war.

Mr. TEAGUE of Texas. No, sir; it does not change that in any way, form or fashion.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Iowa.

Mr. GROSS. What would happen in the event an enlistee or inductee lost his life in an automobile accident in reporting to a center for induction into the service?

Mr. TEAGUE of Texas. I do not think this bill changes that at all.

Mr. GROSS. Would he be covered by the bill?

Mr. TEAGUE of Texas. He should be covered, but he is not. This is strictly a civil service bill. He should be covered, in my opinion.

Mr. HALL. Is there any need for haste in connection with this legislation? Because of lack of full information and study immediately after the Easter recess, I am prone to ask that this bill be passed over without prejudice. On the other hand, I do not mean by that, as one of the official objectors, I want to get a rule or want it to come up on the Consent Calendar. I want to be for this legislation if it is needed. I happen to be the only one who has had an opportunity to review it as much as I have.

Mr. TEAGUE of Texas. There is a degree of haste in that one of our colleagues has recommended this man to be postmaster in his hometown. I thought every Member on that side had been contacted during this situation, and had it explained. That gentleman is not on the floor today.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EXEMPTION OF POSTAL FIELD SERVICE FROM SECTION 1310 OF SUPPLEMENTAL APPROPRIATION ACT, 1952

The Clerk called the bill (H.R. 6622) to exempt the postal field service from section 1310 of the Supplemental Appropriation Act, 1952.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I believe I am on this subcommittee, but I regret that I was not able to sit in on the hearings because of hearings in the Foreign Affairs Committee. I would like to ask the gentleman from New York one question, if I can properly state it.

As to the elimination of the restriction on the Post Office Department, will those thereby liberated be available throughout the rest of the Government?

Mr. DULSKI. No, it will not. The 44,728 positions that are in this legislation will not change the number that we have in the report on page 2.

Mr. GROSS. So there is a restriction that would prohibit that?

Mr. DULSKI. Yes, there is.

Mr. GROSS. I thank the gentleman.

Mr. HALL. Further reserving the right to object, Mr. Speaker, I understand, and this question is analogous to the one asked by the gentleman from Iowa, that this will release the Post Office so far as nonpostal agencies are concerned, but is there anything known about the other agencies insofar as the administration plans are concerned for filling these specific positions when they are vacated, and which nonpostal agencies may fill? What would be the overall cost to the taxpayers?

Mr. DULSKI. Relating to the positions, in 1966 there will be a decrease in positions from the 44,728 if the trend continues.

Mr. HALL. That is a decrease in the original number to be requested?

Mr. DULSKI. That is correct, as shown on page 2 of the report.

Mr. HALL. Does the gentleman have any information about whether other agencies will take up this slack thereby created?

Mr. DULSKI. That is the positions shown on page 2 of the report.

Mr. HALL. I have read this. As I understand it, the cost has not been extended to the taxpayers? The committee in its report states that higher rates per hour can be expected to offset a smaller increase in the manpower, but there is no estimate indicated.

Mr. DULSKI. I do not have any definite figures, but the last three lines of the report show there will be some additional cost.

Mr. HALL. I withdraw my reservation of objection, Mr. Speaker.

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

There being no objection, the Clerk read the bill, as follows:

H.R. 6622

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1310(a) of the Supplemental Appropriation Act, 1952, as amended (5 U.S.C. 43, note), is amended by striking out "That increases in the number of permanent personnel in the Postal Field Service not exceeding 10 per centum above the total number of its permanent employees on September 1, 1950, shall not be chargeable to this limitation: *And provided further,*".

(b) Section 1310 of such Act, as amended (5 U.S.C. 43, note), is amended by adding at the end thereof the following subsection:

"(f) This section shall not apply to the postal field service of the Post Office Department.".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PECOS NATIONAL MONUMENT, N. MEX.

The Clerk called the bill (H.R. 3165) to authorize the establishment of the Pecos National Monument in the State of New Mexico, and for other purposes.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask someone knowledgeable about this bill, why there should be a $500,000 cost if some 300 acres of land are being donated?

Mr. MORRIS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am happy to yield to the gentleman.

Mr. MORRIS. The cost is going to be for the restoration and development of the Indian pueblo. The land will be free. The pueblos are to be restored like they were in the 13th century. There will be no cost for the land.

Mr. GROSS. There is going to be a cost of $60,000 a year on top of that, apparently, and that seems to be a little high.

Mr. MORRIS. It is going to be a part of the national park system. It will come under the same type of treatment so far as fees and other items are concerned as other units of the national park system. The $60,000 is the estimated cost of operation and maintenance of the facilities and with reference to the regular projects that are held in all national park installations.

Mr. GROSS. They are not going to put hot and cold running water in those pueblos, are they, at a cost of $500,000?

Mr. MORRIS. No, sir. I do not believe the pueblos had that in the 13th century.

Mr. GROSS. I doubt it too. But I cannot quite understand why it should cost $500,000 with the land being donated. These pueblos must be getting quite expensive as have a great many things in the Great Society.

Mr. MORRIS. This pueblo is in a rather isolated part of the country or relatively so at least. But there is no construction cost involved and the figures are on the basis of being a little bit higher than they would be in places where there is a great deal of construction activity. But there is no intention of having any elaborate structures built and they are just going to try to recreate the pueblos as they were in the 13th century.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

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

There being no objection, the Clerk read the bill, as follows:

H.R. 3165

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to set apart and preserve for the benefit and enjoyment of the American people a site of exceptional historic and archeological importance, the Secretary of the Interior may accept on behalf of the United States the donation of approximately three hundred and forty-two acres of land, of interests therein, including the remains and artifacts of the seventeenth century Spanish mission and ancient Indian pueblo near Pecos, New Mexico, for administration as the Pecos National Monument.

SEC. 2. The Secretary shall administer, protect, and develop the national monument in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented.

With the following committee amendments:

Page 1, line 8, after "land," strike out "of" and insert "or".

Page 2, after line 4, add a new section reading as follows:

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than $500,000, as are required for construction of facilities and excavation and stabilization of the ruins in the Pecos National Monument under this Act.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING CERTAIN MEMBERS OF THE ARMED FORCES TO ACCEPT AND WEAR DECORATIONS OF CERTAIN FOREIGN NATIONS

The Clerk called the bill (H.R. 3045) to authorize certain members of the Armed Forces to accept and wear decorations of certain foreign nations.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, this is strictly limited to the war in Vietnam; is it not?

Mr. PHILBIN. The gentleman is correct—that is right.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

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

There being no objection, the Clerk read the bill, as follows:

H.R. 3045

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to such regulations as may be prescribed by the Secretaries of the Army, Navy, Air Force, and Treasury, members and former members of the Armed Forces of the United States holding any office of profit or trust under the United States, who have served, subsequent to February 28, 1961, in Vietnam and such of the waters or lands adjacent thereto as may be designated by the respective Secretaries, are authorized, during any period in which members of the Armed Forces of the United States are serving with friendly foreign forces engaged in an armed conflict in Vietnam against an opposing armed force in which the United States is not a belligerent party, or during any period of hostilities in Vietnam in which the United States may be engaged, and for one year thereafter, to accept from the Government of the Republic of Vietnam or from the government of any other foreign nation whose personnel are serving in Vietnam in the cause of the Government of the Republic of Vietnam such decorations, orders, and emblems as may be tendered them for such service, and which are conferred by such governments upon members of their own military forces. For purposes of this Act the consent of Congress required in accordance with clause 8 of section 9, article I of the Constitution is hereby granted. Subject to such regulations as may be prescribed by the Secretary concerned, any such member or former member holding any office of profit or trust under the United States is authorized

to wear any decoration, order, or emblem accepted pursuant to authority in this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE DISPOSAL OF RAW SILK AND SILK NOILS FROM THE NATIONAL STOCKPILE

The Clerk called the concurrent resolution (H. Con. Res. 100) expressing the approval of Congress for the disposal of raw silk and silk noils from the national stockpile.

The SPEAKER. Is there objection to the present consideration of the concurrent resolution?

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 100

Resolved by the House of Representatives (the Senate concurring), That the Congress expressly approves, pursuant to section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)), the disposal of approximately one hundred and thirteen thousand five hundred pounds of raw silk and approximately nine hundred and sixty-nine thousand five hundred pounds of silk noils from the national stockpile.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

DISPOSAL OF CHROMIUM METAL, ACID GRADE FLUORSPAR, AND SILICON CARBIDE FROM THE SUPPLEMENTAL STOCKPILE

The Clerk called the joint resolution (H.J. Res. 330) to authorize the disposal of chromium metal, acid grade fluorspar, and silicon carbide from the supplemental stockpile.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 330

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, the following materials, in approximately the following quantities, now held in the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)):

(1) thirty-three thousand five hundred and fifty-two pounds of chromium metal;

(2) four thousand five hundred and forty-eight short dry tons of acid grade fluorspar; and

(3) fifty-six short tons of silicon carbide.

Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b): *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CODIFICATION OF GENERAL AND PERMANENT LAWS RELATING TO DECEDENTS' ESTATES AND FIDUCIARY RELATIONS IN THE DISTRICT OF COLUMBIA—PART III, DISTRICT OF COLUMBIA CODE

The Clerk called the bill (H.R. 4465) to enact part III of the District of Columbia Code, entitled "Decedents' Estates and Fiduciary Relations," codifying the general and permanent laws relating to decedents' estates and fiduciary relations in the District of Columbia.

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

Mr. HALL. Mr. Speaker, reserving the right to object, and I shall not object. I simply want to state prior to putting over this bill because of failure of compliance with a stipulated agreement during the organization of this Congress, counsel has very excellently supplied the minority objectors with full information and the past history on this bill and we shall not at this time object.

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

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. KASTENMEIER. Mr. Speaker, because of the cost of printing in the CONGRESSIONAL RECORD a bill as lengthy as the bill just passed, I ask unanimous consent that the printing of H.R. 4465 in the CONGRESSIONAL RECORD and in the Journal be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. This concludes the call of eligible bills on the Consent Calendar.

PRIVATE CALENDAR

The SPEAKER. The Clerk will call the first individual bill on the Private Calendar.

CHILDREN OF MRS. ELIZABETH A. DOMBROWSKI

The Clerk called the bill (H.R. 1291) for the relief of the children of Mrs. Elizabeth A. Dombrowski.

Mr. GROSS. Mr. Speaker, on behalf of the gentleman from California [Mr. TALCOTT] I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ESTATE OF JOHANNA GRISTEDE, DECEASED

The Clerk called the bill (H.R. 1356) for the relief of the estate of Johanna Gristede, deceased.

There being no objection, the Clerk read the bill, as follows:

H.R. 1356

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any period of limitations or lapse of time, claim for credit or refund of any overpayment of income taxes for the taxable year 1953 made by Johanna Gristede, late of Scarsdale, New York, may be filed by the estate of Johanna Gristede, deceased, at any time within one year after the date of the enactment of this Act. The provisions of sections 322(b), 3774, and 3775 of the Internal Revenue Code of 1939 shall not apply to the credit or refund of any overpayment of tax with respect to which a claim is filed pursuant to this Act within such one-year period.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CWO ELDEN R. COMER

The Clerk called the bill (H.R. 1374) for the relief of CWO Elden R. Comer.

Mr. GROSS. Mr. Speaker, on behalf of the gentleman from California [Mr. TALCOTT], I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MRS. NATHALIE ILINE

The Clerk called the bill (H.R. 1380) for the relief of Mrs. Nathalie Iline.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

FOR THE RELIEF OF MRS. HELEN VESELENAK

The Clerk called the bill (H.R. 1475) for the relief of Mrs. Helen Veselenak.

Mr. RUMSFELD. Mr. Speaker, on behalf of the gentleman from Massachusetts [Mr. CONTE], I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

MRS. GERTRUDE RESKIN

The Clerk called the bill (H.R. 2155) for the relief of Mrs. Gertrude Reskin.

Mr. RUMSFELD. Mr. Speaker, on behalf of the gentleman from California [Mr. TALCOTT], I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

SHIRLEY SHAPIRO

The Clerk called the bill (H.R. 2681) for the relief of Shirley Shapiro.

Mr. GROSS. Mr. Speaker, on behalf of the gentleman from California [Mr. TALCOTT], I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

OUTLET STORES, INC.

The Clerk called the bill (H.R. 2924) for the relief of the Outlet Stores, Inc.

Mr. RUMSFELD. Mr. Speaker I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

BRYCE A. SMITH

The Clerk called the bill (H.R. 3075) for the relief of Bryce A. Smith.

Mr. GROSS. Mr. Speaker, on behalf of the gentleman from California [Mr. TALCOTT], I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ESTATE OF BART BRISCOE EDGAR, DECEASED

The Clerk called the bill (H.R. 3076) for the relief of the estate of Bart Briscoe Edgar, deceased.

Mr. GROSS. Mr. Speaker, on behalf of the gentleman from California [Mr. TALCOTT], I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CHARLES MAROWITZ

The Clerk called the bill (H.R. 1445) for the relief of Charles Marowitz.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

McKOY-HELGERSON CO.

The Clerk called the bill (H.R. 3137) for the relief of McKoy-Helgerson Co.

Mr. RUMSFELD. Mr. Speaker, on behalf of the gentleman from Massachusetts [Mr. CONTE], I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

ROBERT J. BEAS

The Clerk called the bill (H.R. 4443) for the relief of Robert J. Beas.

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER. This concludes the call of the Private Calendar.

DISASTER RELIEF ACTIVITIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 153)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Public Works and ordered to be printed:

To the Congress of the United States:

I have the honor to transmit herewith a report of activity under authority of Public Law 875, 81st Congress, as amended, and required by section 8 of such law.

Funds which have been appropriated to accomplish the Federal assistance determined eligible under this authority are specifically appropriated to the President for purposes of disaster relief.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 26, 1965.*

BIRTHDAY OF TANZANIA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, as chairman of the Subcommittee on Africa of the Committee on Foreign Affairs, I am happy to note to the House that this is the birthday of the new African nation of Tanzania.

To President Julius Nyerere and his coworkers and to all of the people of Tanzania for myself, the members of the subcommittee and, I am confident, for all the Members of the House of Representatives, I extend warm congratulations and sincere best wishes. I have no doubt that ahead of Tanzania is a future of radiant brilliance.

I have known President Nyerere for many years and count him as a close personal friend. The union of Zanzibar with Tanganyika I thought wise and consistent with the proposal of the ultimate federation of Kenya, Uganda, and Tanzania, long advocated by Nyerere and others.

Again, Mr. Speaker, my warmest congratulations to Tanzania on this happy anniversary occasion.

Mrs. GRIFFITHS. Mr. Speaker, the United Republic of Tanzania celebrates today its first anniversary. One year ago the African nations of Tanganyika and Zanzibar joined in establishing this new Republic and embarked upon the course of building a unified and prosperous society.

As a nation whose own history of development is young, we extend a special greeting to the people of Tanzania on this their Union Day, remembering the enduring hope and vision of all men.

Mr. MATSUNAGA. Mr. Speaker, today marks the first anniversary of the establishment of the United Republic of Tanzania. On this important day, I want to extend my warmest congratulations to that rising young African nation, to its President, Mwalimu Julius K. Nyerere, and to the people of Tanzania. The 26th of April is Union Day in this African nation, rather than independence day, because it was on this day just one year ago that the two new African nations of Tanganyika and Zanzibar embarked upon the enormous project of combining their two countries into a single nation.

Nature started Tanzania off with the basic fundamentals with which to build a nation—above all, a vigorous people, important values and traditions deeply imbedded in their society, a variety of mineral and agricultural resources having important developmental potential, and exciting touristic possibilities. Starting with their present endowments, Tanzanians, like our own Nation nearly two centuries ago, have set about working out for themselves the physical, political, and cultural foundations for a thriving new nation.

They, and they alone, have the heavy responsibility for deciding the real future of their nation—the kind of government they want in the longer run; the type of society they should develop as they mature as an independent people in today's world; how much they want to keep of the old and the traditional; how much they would like to bring in of the new and the modern. They must determine how to get the schools, the teachers, the doctors, the hospitals, and the formidable array of other assets they want and need.

As this young nation of Tanzania struggles to create a unified and prosperous nation, we Americans may well feel both nostalgia and admiration. A hundred and seventy years ago and more, we, too, were a small, very new nation going through much of the same struggle with many of the same problems as this young nation now celebrating its first birthday. So today, I ask my fellow Americans to join me in expressing our friendship for the nation and peoples of Tanzania, as they pass this important milestone in their country's history.

Mr. FARNUM. Mr. Speaker, exactly 1 year ago today, on April 26, the new African Nations of Tanganyika and Zanzibar embarked upon the enormous task of forging the two countries into a single nation.

To the people of that new nation, Tanzania, and to its President, Mwalimu Julius K. Nyerere, I wish to extend my best wishes for the future, and congratulations for what has been done in 1 year.

All Americans must feel admiration for the daring concepts that were given reality a year ago. Our own history of a struggle toward a concept which many said could not be attained, makes it obvious to us that this young nation has many trials and tribulations in the days

ahead. That it will come through successfully and attain the destiny ordained for a people loving freedom is the hope of all Americans on this day.

GENERAL LEAVE TO EXTEND

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that any wishing to join me in good wishes to Tanzania have 5 legislative days in which to extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

BIRTHDAY OF TANZANIA

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, I should like to associate myself with the remarks of the distinguished gentleman from Illinois [Mr. O'HARA].

Mr. Speaker, 1 year ago today Tanganyika and Zanzibar officially united as the Republic of Tanzania. It is a privilege for me to join with my colleague, Congressman O'HARA, in commemorating this historic event.

Unhappily, we must also recall that during this year of union American-Tanzanian relations have markedly deteriorated. Periodic reports in the western press fluctuate between praise for the Republic and President Julius Nyerere, and alarm over Communist machinations. Whatever misunderstanding exists between our two governments, relations have been made more difficult by these press reports.

Last November our Government was unfortunately accused of instigating a plot to overthrow the lawful Government of Tanzania. Two American Foreign Service officers were expelled on the basis of this erroneous accusation. In turn, the present administration exhibiting more emotion than maturity, retaliated in kind by forcing the recall of Tanzania's diplomatic representatives here in Washington.

It is my hope that the administration with hindsight and calmness will repair this breach in relations between our two countries. Is this first anniversary of the union of Tanganyika and Zanzibar not a good time for the President to take the initiative and open talks leading to a full restoration of our traditional friendly relations?

DEATH OF JOSEPH L. TAYLOR

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. TRIMBLE. Mr. Speaker, it is my sad duty to report the death on February 19, 1965, in Arlington, Va., of Joseph L. Taylor, a distinguished son of Arkansas, who was born in Mulberry, Crawford County, Ark. Many of his relatives and friends now reside there. Mrs. Trimble and I extend our sincere sympathy to the widow, Mrs. Ruby Taylor, and to the entire family.

He had a wonderful record in life, and those who know him best would say of his creed in life was as Edgar A. Guest said:

MY CREED

To live as gently as I can;
To be, no matter where, a man;
To take what comes of good or ill
And cling to faith and honor still;
To do my best, and let that stand
The record of my brain and hand;
And then, should failure come to me,
Still work and hope for victory.

To have no secret place wherein
I stoop unseen to shame or sin;
To be the same when I'm alone
As when my every deed is known;
To live undaunted, unafraid
Of any step that I have made;
To be without pretense or sham
Exactly what men think I am.

To leave some simple mark behind
To keep my having lived in mind;
If enmity to aught I show
To be an honest, generous foe,
To play my little part, nor whine
That greater honors are not mine.
This, I believe, is all I need
For my philosophy and creed.

He had a distinguished life and career.

Joseph L. Taylor was born in Mulberry, Ark., on January 14, 1911, the second son of a family which was to include six brothers and four sisters. In his infancy, his family moved to Oklahoma, where he spent his boyhood and received his education. At a very young age, he became interested in electricity, and often asked for a pair of pliers or electrical wire, rather than toys, for Christmas. Much to the annoyance of his older brother, he strung wires all over the bedroom which they shared, making entrance or exit thereto a hazardous undertaking. In his early teens, he worked after school and during summer vacation helping in a garage, and learning the meter-reading business with the local power company. His first full-time job was with the Oklahoma Gas & Electric Co. in Muskogee, Okla., where he earned an enviable reputation with the oldtimers as being a first-class "kid" electrician. The serious illness of his father and the need of the family precluded this young man's desire for a college education. However, his eagerness for knowledge was not to be denied. He took advantage of extension courses from the University of Oklahoma, various training programs with the companies where he was employed, and most especially his ardent perusal of books of all kinds. His intrinsic ability to learn not only the facts, but to comprehend highly theoretical concepts destined this young man to command a place of repute in the emerging new field of electronics, atom splitting, and space. In 1935 he was studying "Atoms in Action," with the full conviction that the new atom would be split, and that this action would open a whole new field. His friends taunted him as being a "Buck Rogers," and offered to provide him with a suitable soapbox and location in the city to expound his theories and predictions.

Despite the dark days of the depression, with heavy responsibilities to his wife, widowed mother, and brothers and sisters, his deep personal loss of his three children in infancy, Taylor became a licensed pilot, qualified on multiengine airplanes, and became a licensed "ham radio" operator, designing and building all his own equipment. His ability in the electrical and communications field was highly respected and regarded throughout his employment with the Bell Telephone Co., Phillips Petroleum Co., and the Stanolind Pipe Line Co. Thus equipped, and with a growing concern for the expansion of the war in Europe to this country, Taylor sought employment with the Mare Island naval shipyard in September 1941. Pearl Harbor followed on December 7, and Taylor joined the Navy in January 1942, with the avowed desire to rescue the prisoners in the Philippines.

At age 30, Taylor refused a commission in the Navy in favor of the then highly classified and restricted School of Radio Materiel at Treasure Island, Calif., whose subjects included radar and sonar, as well as general electronics and communications, entering the Navy as a radioman 2d class. Upon completion of this highly concentrated and competitive course, he earned the promotion to radio technician 1st class. After refusing an instructorship at Treasure Island, Taylor, with the simple explanation that he wanted to be where the feathers were flying, selected the U.S.S. *Denver*, CL–58, a new light cruiser being commissioned in Philadelphia, Pa. Being a "plank owner" in this ship was to be a matter of great pride to him, and he often spoke of her as "the" ship that won the war.

The *Denver's* record was to be slightly less than 3 years in the South Pacific, but it was to be a highly rewarding one. She was credited with the destruction or assist of 7 Japanese warships, 14 Japanese aircraft, and participation in 14 shore bombardments, most of which covered amphibious landings. On the other side of the ledger, she had her share of hits and near misses, having had three Nip 8-inch projectiles pass completely through her, and getting hit by an aerial torpedo within the next 10 days, and having a Kamikaze crash aboard, holing her starboard side. The *Denver* was destined to make herself well-known and highly respected for her deadly accurate firepower in the familiar names of Empress Augusta Bay, Pelelieu, Leyte, Lingayen Gulf, Tinian, Saipan, Battle of Surigao Straits, and so forth, as part of the famous task force 58 of the 7th Fleet sweeping from the Solomons, Marshalls, and Marianas to Iwo Jima. She served as flagship of her cruiser division on various occasions. Perhaps the most spectacular battle was that of Empress Augusta Bay, where a 3-hour knock-down, drag-out

type of battle, in a drenching rainstorm, was to pit our light cruisers and destroyers against the heavy cruisers and destroyers of the enemy, in a churning radius of 30 miles, to sink, damage, and route the entire enemy force with intensive long-range gunnery dueling.

During this tour of duty aboard the *Denver*, Taylor had rapidly been promoted to chief radio technician, warrant radio technician, to lieutenant. Often his officers waived the minimum time requirements for promotion in recognition of his skill, ability, and the wealth of technical knowledge he had brought to the Navy with him. He expertly organized and trained his men to the top of efficiency. He inspired them to unexpected heights by his own self-confidence, his leadership and devotion to duty. Perhaps his greatest personal satisfaction was when the *Denver*, steaming as flagship for Rear Adm. R. S. Riggs, at the head of the cruiser division in column, became the first heavy U.S. man-of-war to enter Manila Bay since the beginning of the Pacific war. It was here that Taylor realized his vow to rescue the prisoners in the Philippines. He was detached from the *Denver* and returned to the United States on the ship that carried the first prisoners from the Philippines. During a recent luncheon in honor of Taylor, Capt. Fred W. Hoeppner, head of the U.S. Naval Communications Headquarters, who had been a junior officer aboard the *Denver* with Taylor, said of him:

> It might well be said that Taylor saved my life and those of others aboard the *Denver* because of his ability and his actions in keeping communications and radar equipments in an effective operating unit at all times.

This was especially true when the *Denver* was torpedoed by planes, when Taylor established emergency auxiliary power, put up an emergency antenna and called Munda Air Force Base for air coverage to beat off the air attack designed to finish off the *Denver* while she lay dead in the water.

Taylor was released to inactive duty in September 1945. He went to the San Francisco Naval Shipyard as a civilian electronics engineer, where among other things, he organized, staffed, and trained the shore electronics division, which became one of the most popular "can-do" crews there. He made frequent trips to Washington to present his requirements and to provide technical advice on many new and novel electronics operations. At his farewell luncheon, he was toasted as being "San Francisco Naval Shipyard's greatest salesman."

In 1958, Taylor came to Washington to head the terminal equipments branch of the shore division of the Bureau of Ships. Here again, he was known for his dedication, his superior ability, and his zest and enthusiasm. The tougher the job, the more satisfaction he enjoyed in solving it.

In June of 1961, Taylor became the chief electronics engineer of the U.S. Naval Communications Systems Headquarters, an organization of the Chief of Naval Operations. His engineering judgments and decisions were to be reflected in every naval communications station throughout the world. He traveled almost constantly to almost every country in the world, where his activities placed him in remote areas to explain an operation to a radio striker, to the highest echelons of foreign governments, both military and civilian. The image and ability he presented was to make him highly respected and regarded, worldwide, for his integrity, devotion, and his exceptionally keen desire to make not only naval communications second to none, but to so integrate these facilities, when required, with those of our allies. Capt. George Dixon, U.S. Navy, retired, his former boss, when relating that Taylor's death had been broadcast worldwide on naval communications, said:

> He was known, admired, and held in great affection by many in foreign lands, both sailors, officers, and those high in civilian governments. They have suffered a great loss in this man's passing.

Taylor was to be promoted again, just prior to his death, to head the facilities and securities division of the U.S. naval district, industrial manager. While he was suffering from increasing pain from a heart attack he had in 1962, he attacked this challenging job with great energy and high hopes, believing thoroughly that here he could do the most good for the Navy he loved so well.

Joseph L. Taylor was to die suddenly, in the arms of his wife, on February 19, 1965. Tributes came from all over the world. Men of great stature were to weep openly and unashamedly. A great host of friends were to fill Fort Myer chapel to overflowing, to participate in the full military honors to be accorded to him. The caisson and white horses carried him to his final resting place, a gentle sloping hill in the Arlington National Cemetery.

WYOMING MUSCLE BUILDER

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. RONCALIO. Mr. Speaker, I trust that my colleagues will not be offended when one who is new among you attempts to show you the ropes. Some of the most exclusive bodies in the world, two in this Congress, are getting out of shape.

I hold in my hand a Wyoming muscle builder, an isometric rope, which is distributed by Ideas, Inc., an industry in the State of Wyoming.

I want to say to my colleagues that if they cannot find the Rayburn Gym, they can still maintain physical fitness with one of these products of my State. One has been distributed to each of you, and I hope it will help keep you in physical fitness.

THE HONORABLE THOMAS C. MANN SPEAKS IN BIRMINGHAM

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, each year the city of Birmingham, Ala., salutes a country or an entire area of the world at its annual Festival of Arts. This year Birmingham's 14th Annual Festival of Arts, the world's oldest continuous arts festival, is paying tribute to Latin America in general and to Mexico in particular.

At the request of festival officials, I had the pleasure of extending invitations to the Honorable Fulton Freeman, U.S. Ambassador to Mexico; the Honorable Hugo B. Margain, Mexican Ambassador to the United States; and the Honorable Thomas C. Mann, Under Secretary of State for Economic Affairs. We were delighted that all three of these distinguished gentlemen accepted and were able to attend the opening festivities in Birmingham on Friday, April 23.

The 1965 festival was formally opened at a reception and dinner last Friday evening, with Secretary Mann delivering the principal address. Stressing the close and friendly ties between the United States and Mexico, Secretary Mann's address, which follows, is particularly appropriate at a time when so many nations of the world find it difficult to settle their differences without bloodshed:

OUR AMERICAN COMMUNITY

(Remarks by the Honorable Thomas C. Mann, Under Secretary of State for Economic Affairs, on the occasion of the 14th Annual Festival of Arts, Birmingham, Ala., Apr. 23, 1965)

Mr. Chairman, Congressman SELDEN, Governor Wallace, Ambassador Margain, Ambassador Freeman, other distinguished guests, ladies and gentleman, I am pleased to join with you this evening to celebrate the opening of the 14th annual Festival of Arts which this year pays tribute to the arts and culture of Mexico.

The city of Birmingham and the Festival of Arts committee deserve a salute for the valuable contributions you have made over the past 13 years to the cause of better understanding and appreciation of other cultures.

As a fourth-generation Texan, I feel especially at home in our Southland, and having been born and raised near our border with Mexico, I am delighted at the opportunity to take part in this tribute to our great neighbor to the south.

In recent years, there has been a gratifying increase in the knowledge of our citizens about Latin America, and especially Mexico. More of our people are appreciating the culture and rich heritage of our southern neighbors. We are enjoying a growing interchange of persons through tourism and business, and more of us are learning the Spanish language.

Our first historical ties with Latin America go back to the days of the Spanish conquistadores. The territory which is now Alabama was first explored by Spaniards. Hernando de Soto, after his adventures in the

Yucatan and South America, visited this area in 1539. And for a while in the late 1700's, Alabama was under the flag of Spain.

The Alabamian cities of Cordoba and Andalusia, deriving their names from Spain are testimony to the earlier ties between this area and Spanish culture, and the waters of the Gulf of Mexico have been a continuous bond with Latin America.

Over the years that followed the early explorations, the cultures of Mexico and the United States have developed in independent ways, each dynamic and rewarding.

Mexico has long been concerned for the economics of development and for the practical application of social reforms. The principal discussions of today are about per capita income, economic growth rates, common markets, and productivity. United in the most noble of all alliances—the Alliance for Progress—the United States, Mexico, and the hemisphere are working together for progress. We are working to build economies which can provide the jobs, food, and housing for our growing populations.

The new impetus in economic development should not, however, imply that the concern for the nonmaterialistic values should be any less. The Charter of Punta del Este which established the Alliance speaks of "the indomitable spirit of free man which has been the heritage of American civilization." This spirit is what has moved mankind to its highest accomplishments. Without it, the material benefits we seek from life are without meaning and, indeed, they may become unattainable.

I think there has been a better understanding in recent years among all of us in the Western Hemisphere that what we in the United States have attempted to create for our citizens and what Latin America is now trying to accomplish are basically the same, that is, the greatest good for the greatest number of our peoples within a framework of freedom. Within this goal are included not only the material things but all the spiritual values necessary to man's dignity.

Mexico has an outstanding record of progress toward this goal. Its great revolution, beginning in 1910, broke the bonds of feudalism and launched modern Mexico. After a period of internal strife, this Republic has forged social institutions which have given its people political stability while stimulating a dynamic economic growth.

In this same period, our two peoples have come to know one another better through ties of trade and travel. Our exports to Mexico have exceeded $800 million annually, and imports have been nearly $600 million a year. In addition, Mexico earns in tourism and border transactions over $650 million a year, with U.S. citizens making up 87 percent of all tourists visiting the interior of Mexico—nearly 900,000 in 1964. Similarly, Mexican citizens visiting the United States—over 200,000 a year—spend well over $200 million in this country.

About 69 percent of all Mexican imports come from the United States, and this country buys over 60 percent of total Mexican exports.

Since the time when President Franklin Delano Roosevelt announced our good neighbor policy, our ties with our neighbors to the south have become stronger each year.

One of the most significant accomplishments of the United States and Mexico is the way in which we have managed our boundary problems in this century. In the latter part of the 19th century, we established with Mexico a Commission to mark our common boundary. This Commission has evolved into the International Boundary and Water Commission, which under a 1944 treaty, has carried out and continues to implement a unique cooperative endeavor in water sharing and management in a water deficit area. Today we have taken up together one of man's oldest challenges—the usage of precious water resources—and are building a new, and we believe more durable and vital, southwest community, astride an international boundary and geared to the mutual development of a common river.

In very few places in the world is there a border as long as that between our two countries—some 2,000 miles—which is so tranquil and so informal. Our bilateral differences are those of friends and are taken to the negotiating table for solution. There are few bordering countries with differing languages and cultures which have our record of amity and cooperation. Last September, speaking at a ceremony marking the settlement of the Chamizal border dispute with Mexico, President Johnson said:

"Let a troubled world take note that here, on this border between the United States and Mexico, two free nations, unafraid, have resolved their differences with honor, with dignity, and with justice to the peoples of both nations."

It is gratifying that we are sharing our cultures more and more with one another. This is a process that has enriched our lives.

Finally, I would like to express my hope that the great city of Birmingham and indeed the entire Southland will continue to strengthen the many cultural and economic ties that unite our country with Mexico and all of Latin America. Our Southland is uniquely qualified to serve as the bridge between the two cultures. It not only has a special historical relationship but is the gateway through which commerce, tourism, and ideas flow in both directions.

Again, I would like to applaud the efforts of Birmingham and commend this Festival of Arts as being in the finest tradition of southern hospitality. It truly reflects the deep interest of our country in promoting a better understanding of the world in which we live.

HON. SPESSARD L. HOLLAND

Mr. HALEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, it has been my privilege to know Florida's distinguished senior Senator, the Honorable SPESSARD L. HOLLAND, for many years. He is a man highly respected by all who know him and he is one who has served our State and Nation long and well.

Last Monday, April 19, 1965, the editor of his hometown newspaper, Mr. Loyal Frisbie, of the Polk County Democrat, paid tribute to Senator HOLLAND in an editorial entitled "A Man Can Be a Man."

The editorial, which follows, reflects the character of this man who has given such distinguished and faithful service to us all:

A MAN CAN BE A MAN

SPESSARD HOLLAND, who used to represent the majority opinion not only in Florida but in the United States, is rapidly becoming a political oddity.

He was, and is, a public servant who believes that he can serve the public best by adhering to his own principles; by promising the voters not necessarily what they want to hear, but by outlining his beliefs and promising to stand by them.

On this basis, he won two terms in the Florida Senate in the 1930's. On this basis, he was elected Governor of Florida in 1940. On this basis, he has won election four times to the U.S. Senate.

Today, while the great majority of Members of the U.S. Congress are falling over themselves to cater to pressure groups of all types, he is still demonstrating that, even in political life, a man can afford to be a man.

SPESSARD HOLLAND learned his political philosophy in a day when it was still fashionable to believe that a man stood on his own feet, earned his own way, and sought help only when his own resources proved inadequate to meet his problems. The same theory applied to cities and counties and States.

The rapidly accelerating trend in this country in the past two or three decades has been for people and cities and counties and States to turn first to a higher level of government for help. It is no longer fashionable to believe in self-help at the community level.

For many, many years, the reaction of lazy or indifferent persons to a call for community service has been, "Let George do it." Today, it is obvious that George's last name is Washington. To meet whatever problems exist, or may possibly exist in the future, the current pattern is to pass the buck to Washington.

Too many people are willing to surrender their own freedom to exercise initiative in return for a Federal handout. It is undisputed that control follows the dollar, and our once self-reliant race of Americans is more and more willing to accept the control as readily as the dollar.

Congress, which could halt this trend if it would, proves to be made up principally of followers, rather than leaders. The votes of a majority of its Members unmistakably are influenced more by what heavy voting blocs in their home States want, than by consideration of what is best for the long-term good of the Nation.

SPESSARD HOLLAND has demonstrated this doesn't have to be so—and never more clearly than when he was campaigning for reelection in 1964.

To the city dwellers, reapportionment of the legislature solely on the basis of population, in both houses, was a paramount issue. Senator HOLLAND believed that, although the Florida Legislature was badly apportioned, a balance of power should be maintained in any reapportionment. Like the Congress itself, he held that membership of one house should be based on population, that of the other on geography and other factors.

This was not a popular view in, for instance, populous Dade County. But time after time, when questioned on this point in television interviews, HOLLAND gave his opinion frankly, and the reasons for it.

He was warned he would certainly lose Dade County by this stand. He carried it by more than 80,000 votes.

SPESSARD HOLLAND took the risk of being positive, rather than popular. Liberal-minded Dade joined moderate central Florida and the conservative panhandle in returning him to the Senate by a record vote. Many of his senatorial colleagues, nervously eying bloc votes in their own States, would do well to study the Holland record.

THE 17TH ANNIVERSARY OF THE STATE OF ISRAEL

Mr. DYAL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DYAL. Mr. Speaker, yesterday marked the 17th anniversary since Prime Minister Ben Gurion, standing in the art museum at Tel Aviv in 1948, declared the establishment of an independent state of Israel and the return of the exiles to that land. His declaration was followed by recognition of President Truman and the United States of America.

My travel in that land causes me today to compliment the people of Israel and their leaders for wresting the land from its barrenness and bringing productivity. These people are planting 10 million trees a year in a formerly desolate and ravaged land. The mortality rate of these trees is in excess of 20 percent, but they are continuing to create new soil by these conservation methods.

I witnessed the accomplishment of bringing water from Lake Huleh to the Negev. They are determined to fulfill the ancient promise that "the desert shall blossom as the rose."

Israel's early leaders got the vision of Theodor Herzl in his Judenstaat that "a home would be created secured by public law." Some of the early leaders going into history are Chaim Weitzman, David Ben Gurion, Izhak Ben-Zvi, and others.

New leadership seems just much imbued with a desire for freedom and the principles of democracy. This little nation has shown leadership and competence in the free world.

Our recent program of assistance in the further exploration of desalination of sea water indicates our continuing interests in their welfare.

I desire to join other Members of the Congress in extending compliments on the anniversary.

THE NEW MEDICARE TAX

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. YOUNGER. Mr. Speaker, already the administration seems to have some doubts about the effect of the medicare bill which was steamrolled through the House and on which no hearings had been held. Even the new Secretary of the Treasury Department, in an interview on "Meet the Press" yesterday, seemed to express some doubts about the $6 billion tax involved in the new medicare bill. This is well pointed up by an article prepared by Richard L. Lyons, which appeared recently in the Washington Post. The article by Mr. Lyons follows:

PAYROLL TAX UP—MEDICARE COULD SLOW ECONOMY

(By Richard L. Lyons)

Now that the long-fought medicare fight appears won, some administration economists are jittery about its possible depressive impact on the economy next year.

They look at it this way: The present robust economy is expected to slow somewhat in the second half of this year. It will be given a stimulus by expected higher social security cash payments and excise tax cuts, but whether that can maintain the present momentum is debatable.

On next January 1, according to the bill passed by the House and now awaiting Senate action, payroll tax increases to finance higher social security benefits and hospital care for the aged will go into effect. They will take money out of circulation at the rate of about $5 billion a year.

But medicare payments for hospitalization would not begin until July 1966 so for at least 6 months the Government will be drawing considerably more money out of the economy than social security improvements can pour back into it. Less take-home pay means less money to buy goods and less incentive for business to expand—the exact opposite of the effect the 1964 tax cut was designed to produce.

"It is a problem," said an official at the President's Council of Economic Advisers. "We are keenly aware of it. The economy will be given substantial stimulus the second half of this year. But if the economic momentum slows, pulling that much money out of circulation the first half of next year could hurt."

AWARE OF FACTORS

The administration was aware of these factors when the political decision was made to push the bill. The effective dates in the House bill for increases in benefits and taxes were those spelled out in the President's January budget.

To partially offset any deflationary effect, the administration has said it will ask for a $1.75 billion annual reduction in excise taxes, though economists are divided on the economic stimulus from such tax cuts, which are not reflected in pay checks.

There is heavy pressure from affected industries—such as autos and communications—to blow the excise tax bill up to a reduction of at least $2.5 billion and perhaps more than $4 billion. The impending social security tax increase doubtless will be used as an argument for it. Secretary of the Treasury Henry H. Fowler felt compelled to urge last weekend in his first speech in office that the excise tax bill be held within "prudent" limits.

There has been some talk of taking further steps to cushion the impact of next year's tax increases. One proposal has been to put the tax increases into effect more gradually, or even delay them until medicare payments begin. But this runs into opposition from many, including original battlers for social security, that the fund must be kept actuarially sound so that it can pay its way.

BIGGER REFUNDS

Apparently no action has been decided on now beyond excise tax cuts. And not all economists are convinced the payroll tax increase will pose a serious problem.

A Treasury economist said the second step of the income tax cut, now in effect, will mean bigger refunds next spring and this will help take up some possible slack. He also noted that the last increase in social security taxes, in 1963, had no effect on the economy—though then the income tax cut was anticipated and business had received other tax benefits.

Nelson H. Cruikshank, AFL–CIO economist and a longtime battler for social security, said he was convinced there was nothing to worry about.

"They neglect the psychological factor," he said of his economist colleagues. "There will be a release of purchasing power when older people and young people responsible for old people are relieved of the anxieties of big medical bills. They can go buy that washing machine instead of saving it for an operation."

PONTOOK FLOOD-CONTROL AND WATER PROJECT A BOON TO GRANITE STATE

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, it was a pleasure today to be able to inform my constituents that the first and most major hurdle has been cleared and they can look forward to construction of the $56 million Pontook flood-control and water conservation project in northern New Hampshire.

This project has been approved by the New England division, U.S. Army Engineers and sent to Washington for final action by the Army and the Congress. As a member of the Public Works Committee, I shall do everything I can to bring this project to fruition.

It is going to mean a tremendous economic boost to the northern part of the Granite State and, because of its control of flooding on the Androscoggin River, it will be of immense value to the State of Maine as well.

I have been urging this project for a long time and its approval by the Division Engineers is most gratifying.

The Pontook project, as recommended by the Engineers, will consist of a multiple-purpose storage reservoir with a rockfill, main dam in Dummer and a small, earthfill reregulating dam in Milan. There would be a 135,000-kilowatt power facility at the main dam but, it should be noted, private development of power is not ruled out. Recreation facilities would be provided along the shoreline of the 10-square-mile power pool created by the main dam for swimming, picnicking, camping, boating, hunting, and fishing. About 23,000 acres, including land and water areas, would be acquired for the project.

NEW HAMPSHIRE HOUSE URGES STAMP TO HONOR ABIEL ABBOT, FREE LIBRARY PIONEER

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the free public library system, which is accepted generally throughout our country today, has not always been with us. Its beginnings occurred over 100 years ago in the New Hampshire town of Peterborough, where, in 1833, the Reverend

Abiel Abbot founded the first, tax-supported free public library in the world. This interest and leadership in the education and enlightenment of its citizens has continued to be characteristic of the State of New Hampshire.

This year, 1965, marks the 200th anniversary of the birth of this forward-looking clergyman who was to set a pattern for the world to follow—a pattern to which nearly all of us owe our familiarity with the world's literary heritage. The many hours of our childhood spent in the wonderland of books and the enlightenment, enjoyment, and widening of our horizons which we have found all our lives between the covers of books, have been made available to us through our public library system.

Mr. Speaker, the State of New Hampshire has not forgotten the debt we owe Rev. Abiel Abbot. The New Hampshire House of Representatives recently adopted a resolution urging the Nation to honor this man by means of a suitable postage stamp. Under unanimous consent, I offer a copy of a letter from the clerk of the New Hampshire House of Representatives transmitting the text of this resolution:

STATE OF NEW HAMPSHIRE,
HOUSE OF REPRESENTATIVES,
Concord, N.H., April 21, 1965.

HON. JAMES G. CLEVELAND,
House Office Building,
Washington, D.C.

DEAR MR. CLEVELAND: The following concurrent resolution was offered by Mr. Brown, of Peterborough, on Tuesday, April 20, 1965, and on a viva voce vote the resolution was adopted by the house of representatives.

"CONCURRENT RESOLUTION ISSUING A STAMP IN COMMEMORATION OF THE FIRST FREE PUBLIC LIBRARY IN THE WORLD

"Whereas the first free public library in the world supported by taxation was founded in 1833 in the town of Peterborough, N.H.; and

"Whereas December 14, 1965, will be the 200th anniversary of the birth of the Reverend Abiel Abbot whose inspiration made this library possible: Therefore be it

"Resolved by the house of representatives (the senate concurring), That we, the members of the 1965 General Court of New Hampshire, respectfully request the President of the United States and the Postmaster General of these United States to issue a suitable commemorative stamp on the anniversary of the birth of Rev. Abiel Abbot; and be it further

"Resolved, That a copy of this resolution be forwarded to the President of the United States, the Postmaster General, and to our Senators and Representatives in Congress."

Sincerely yours,
FRANCIS W. TOLMAN,
Clerk.

INDUSTRY APPRECIATION WEEK IN KANSAS EMPHASIZES MANY OF THE REASONS WHY KANSAS IS THE GREAT STATE

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. MIZE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. MIZE. Mr. Speaker, when I was in Kansas last week, I had an opportunity to participate in a luncheon at Manhattan, Kans., in recognition of Industry Appreciation Week. This was one of several such observances held throughout the State to call attention to the progress Kansas is making in balancing its farm economy with sound industrial development.

At the start of Industry Appreciation Week, Thad M. Sandstrom, general manager of radio and television station WIBW, Topeka, Kans., delivered an editorial on the importance of taking note of Kansas' place in the sun. I am sure my colleagues will be just as impressed as I am over the outstanding list of accomplishments which make Kansas the great State. Under leave to extend my remarks, I include this WIBW editorial to appear in the RECORD at this point:

WIBW NEWS EDITORIAL No. 28, APRIL 18, 1965
(By Thad M. Sandstrom)

This week has been designated by Governor Avery as Industry Appreciation Week. The Topeka Chamber of Commerce is sponsoring a luncheon Wednesday noon at the exposition center at the Mid-America Fairgrounds to honor Kansas industry. The Manhattan Chamber of Commerce is having a similar luncheon Wednesday noon where Congressman CHESTER MIZE will speak, and there will be others around the State.

Sometimes we tend to forget what we have in Kansas. Almost everyone knows that Kansas is the No. 1 wheat State in the Nation—and Kansas produces 50 percent more wheat than the second leading State. But, here are just a few of the other things of which Kansas can be proud. Kansas has a livestock and meat packing industry that pumps nearly $1 billion annually into the Kansas economy. Kansas ranks third among the 50 States in total miles of highway, roads, and streets. Kansas is exceeded only by California and Texas—a great credit to the job done by the Kansas highway commission over the years. Kansas is the fifth leading State in the United States in oil production. The largest farm machinery plant in Kansas is at Hesston and it ranks among the 10 largest in the country. One of the world's largest and longest grain elevators is at Hutchinson—not to mention hundreds of other grain elevators of enormous capacities at Topeka, Salina, Wichita, and elsewhere around the State. Big Brutus, one of the world's largest electric shovels, works in the coal mining area around Pittsburg in southeastern Kansas. Eighty percent of the Nation's helium capacity is in Kansas, and the largest helium extraction plant in the world is near Liberal. One out of every six loaves of bread baked in the United States is made from Kansas flour. Wichita is the air capital of the world and 70 percent of the world's private aircraft are made in Kansas. Hugoton is near the center of the largest natural gas field in the world. There are 43 colleges and universities in the State.

Kansas is one of the Nation's leading States in man-made lakes. The Kansas Turnpike, which stretches 236 miles from Kansas City to the Oklahoma line, is the fourth largest toll road in the Nation. Kansas is the leading State in the Nation in the manufacture of mobile homes and camper-type trailers. In Topeka, the Goodyear plant is the largest Goodyear installation anywhere in the world under one roof. The Fleming Co. is perhaps the best known and most respected name in the field of independent wholesale grocery merchandising in the United States today. The Santa Fe—the best run and best managed railroad in the Nation—continues to add more employees in Kansas. The fact that Kansas industry is growing and prospering is evident in the record expansion program in services and facilities planned by the Southwestern Bell Telephone Co.

While Kansas ranks sixth in the Nation as a farm State—it is rapidly coming to the front as an industrial State. The emphasis this week on saluting existing industry is long overdue. Too often, people tend to think of industrial development only in terms of bringing in somebody new from outside. It is well for Kansas to take stock this week of the many fruits of our years of labor—of the tremendous accomplishments in the State—of the great growth Kansas has enjoyed. No finer example exists than the Goodyear plant in Topeka—which is growing and expanding because Kansas people are hard working people—and Goodyear has found the Topeka plant to be most productive. Industry can expand and provide more jobs only if it is located in a State which has a healthy business climate—a State in which the people recognize the fact that government produces no jobs—that the only source of wealth in this country is from private investment. In short—business must be able to make a profit if it is to exist. The only way in which Kansas can create new jobs is to encourage existing industry to expand and make the State so attractive that new industry will want to locate within the borders of Kansas.

We salute the industries of Kansas. We are proud to have them. They help make Kansas a great State in which to live, work, and play. It's great to be a Kansan.

CONFEDERATE MEMORIAL DAY

The SPEAKER. Under previous order of the House, the gentleman from Georgia [Mr. WELTNER] is recognized for 30 minutes.

Mr. WELTNER. Mr. Speaker, today is April 26. Up north that date is meaningless, but to some of us who live in the Old Confederacy, it has a mystical, magical aura. For it is Confederate Memorial Day. I do not know how that day is celebrated in other Southern States. In mine, it is rapidly falling into disuse. A few years ago, there was always a big speaking—often in connection with ceremonies in the small Confederate cemeteries. Now, the speakers and the hearers are fewer and older. Many of the old cemeteries have sunk under the ravages of weeds and time, of change and progress. Confederate Memorial Day is, for many, just a "day off" for State employees. And, because the capitol and courthouses are closed, it is sometimes considered a nuisance to the impatient who must wait for tomorrow to transact their business.

I, for one, regret its declining significance. For it should be a day of deep meaning to our Nation, to the South, and to the age-old struggle of men to win, in their lifetime, some measure of freedom.

Like most southerners, I love the tales of glory that hover around and about the mighty efforts of our great-grandfathers. The scenes of those battles and their relics have for me a deep fascination. Truly, there were mighty men in those days. There were men who did not stop to figure the odds, or to count the cost. And there were great victories at Manassas, Fredericksburg, and Chancellorsville.

But Confederate Memorial Day does not come on the anniversary of those bygone struggles, nor of the formation of the Confederate States of America, nor of secession. Today, April 26, was not the beginning, nor the high point of the Confederacy. It was the end of that dark and bloody war. It memorializes the last defeat of the Confederate forces. It was the end of the trail, it was the final act in a great national tragedy. One hundred years ago today it was all over. Lee had already surrendered. Now the last battle had been lost. The Federal forces had won. The Confederates had lost.

That war proved many things. It established forever a new group of national heroes, who will live for so long as the Republic stands. It proved the valor and courage of the men and the women of the South. It proved that those qualities in themselves can overcome, for a time, seemingly insuperable odds. And it proved, as Mr. Lincoln had said, that this Nation cannot endure half slave and half free. It proved that the Union must prevail.

Now, that was 100 years ago. The Republic has weathered many storms in its history, but none so violent as those 4 perilous years from 1861 to 1865. And we have seen many crises come and go since the last shot was fired in 1865. But none so deadly as that.

I think it not inappropriate at this occasion to refer to the moving events of a century ago. We Americans pride ourselves on looking forward, on serving the future, on viewing the road ahead. Yet, there is much we can learn from the past. The War Between the States holds a great lesson—as yet not quite learned—for us in the South. It is simply this: We are one Nation, one Union, inseparable and indivisible. The needs of Georgia are the concern of the Nation. And the needs of the Nation are the concern of Georgia.

One hundred years ago the Nation was split asunder over the question of slavery. It is to our shame that we tried to justify and defend the proposition that one man could buy and sell, rent and hire, a fellow human being. We were dead wrong, but it took 4 years of blood and fire to prove it. One hundred years ago, 11 States seceded over the proposition that the will of any one State is equal to or greater than the will of the Nation as one Union. We were wrong, as that first April 26 proved.

Those were the great lessons of 1865—union, and the rights of man. How strange it is that today, April 26, some among us are prating the same arguments, stirring the same passions, and waving the same bloody shirt, all without regard to the inescapable dictate of history.

How strange that we still hear the old arguments about "interposition." We still hear those voices proclaim their tender and solicitous regard for the rights of property, while totally insensate to the rights of man. How strange to hear States rights still argued as justification for States wrongs.

How strange that we permit in our midst such vehicles of violence as the Ku Klux Klan, soon to enter upon its second century of dishonor.

History, for these men, stopped at Manassas. For them, Appomattox never occurred.

But history moves nonetheless, and we should try to learn from it. Otherwise, as it has been said, we are condemned to relive it. Our goal must be in accord with its moving tide. The preamble of the Constitution declares its purpose to form "a more perfect Union."

Here is a goal worthy of the most astute statesman, the most gifted scholar, the most dedicated citizen. And this, I believe, should be the goal of our great Nation.

Without the intellect of Jefferson, the new Republic would have soon subsided into a constitutional monarchy, with hereditary titles, and all the waste and mockery of a nobility. Without the determination of Jackson, the Republic might well have become an oligarchy, ruled by giant and corrupt money interests. Without the dream of Wilson, our Nation would never have shaken off the cocoon of isolationism nor ever been ready to assume the burden and the great opportunities of world leadership. Without the genius of Roosevelt, the toils of a grinding depression might violently and disastrously have altered our form of government into some strange and alien thing that surely would have destroyed our liberties. Without the grit of Truman, communism may well have enveloped all of Europe, and later, all of Asia. Without the vision of John Kennedy, the country would still be in its state of drift, never approaching full use of its marvelous and varied natural and human resources. Without his courage, we might today have found ourselves isolated to one-half of our hemisphere, with all South America a giant outpost of communism. And without the steadiness and peerless ability of Lyndon Johnson, we may never have come through that dark and foreboding day in November 1963, when a bright and shining light was forever dimmed from the world's eye.

Here is our heritage—men of ability, courage, wisdom, vision, and accomplishment—a record of achievement, and liberty. And here is our challenge—to build, here and now, during our lifetime, a more perfect Union.

We have an exciting world to win; we have, as each generation before us, a new nation to build.

Our mandate is for a land where justice exists, not merely for the select, but for all the people.

We have wealth. We have power. We have vitality.

But our most awesome responsibility is justice. We sing of it, and pray for it, but somehow it eludes us.

When we are just, the poor are lifted up, helped forward to independence and stability, and ultimately free of assistance. When we are just, education is available to everyone, including those thus far denied it. When we are just, our people are not punished for the accident or color of religious belief or place of birth.

When we are just, we do not harm through neglect the aging.

And this is nothing new.

Indeed, our national purpose is no new thing, nor need our Government seek new bench marks.

It is the old ideal, as yet unrealized, that we must follow.

"All men are created equal." Is that not the standard to which we must repair in the racial struggle?

"Love thy neighbor." Have we the wit and the will to achieve this for the nations of the world?

And so, as one people, we seek justice. Justice for men and women, justice for races, and justice for nations.

These are not new goals, but there are new paths leading to them. We need imagination. We need ideas—ideas that flash and crackle. We need vibrant minds and electric spirits.

You and I can see our old dream at last a reality. We can build a republic strong and secure against every foe, yet charitable and generous to the world. We can build a nation that is rich and prosperous, yet ever mindful of those who do not share in the rewards of that prosperity. We can build a nation where every citizen is limited in his achievement solely by the bounds of his own ambition and determination.

We can build, in this day and generation, a just nation, and a more perfect union.

And in so doing, we will take with us, as Lee so nobly stated it a hundred years ago, "satisfaction that proceeds from consciousness of duty faithfully performed."

CHAIRMAN PATMAN CHALLENGES CONSERVATIVES TO GET BEHIND HIS NEW BILL WHICH WOULD REDUCE THE FEDERAL DEBT BY $30 BILLION AND ANNUAL INTEREST PAYMENTS BY $1.2 BILLION

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, what I am about to say on the bill I am throwing in the hopper today may upset a few people, but let me assure you that my interests are for the many rather than for the few—the many being the people of the United States.

For years the big bankers in the country were screaming about how terrible the public debt was and that something should be done about it. Since the Eisenhower regime, however, when interest rates were arbitrarily upped, the bankers have not found anything wrong with the public debt and are perfectly willing to see it rise.

Of course, the more it rises, the more it costs the public. I am, therefore, introducing a bill today which would make it mandatory to transfer $30 billion worth of interest-bearing Government securities from the Federal Reserve banks to the Treasury of the United States. Actually, this $30 billion is held by the New York Federal Reserve Bank, run by one Mr. Alfred Hayes, whose monetary posi-

tion is identical with that of the fat-cat money managers of America. Mr. Hayes on frequent occasions takes a position counter to that taken by Mr. Martin, Chairman of the Federal Reserve Board, and the rest of the Board.

Mr. Hayes also is the second highest paid official receiving a stipend from the public till. The President of the United States gets $100,000, Mr. Hayes $70,000. For his $70,000, he works incessantly for higher interest rates in accordance with the wishes of the American Bankers Association and the rest of the big banking lobby. They, of course, will accuse me of being a "funny money" man and my proposal as being rash and irrational. They would say the same of anything designed to cut the national debt, because at the interest rates we have been paying since Eisenhower, banks are very happy with U.S. Government paper and they are drooling to get more at higher rates.

I would like to point out one extremely important fact concerning my proposed legislation. The Government securities that I would transfer from the Federal Reserve Board vaults in New York to the U.S. Treasury have already been paid for once. This is a fact, because Federal Reserve notes—that is, folding money which people carry in their pockets—have already been issued to pay for these interest-bearing securities. Therefore, this paper money is not "funny money." It is not fiat money. It is not what the financial press will say that it is, printing press money. It is money backed up by the full faith and credit of the American people and their government. It is backed by the total productivity of the Nation and by its capacity to expand its economy.

What the Federal Reserve System has done is to buy in the open market interest-bearing securities of the U.S. Government and pay for them with Federal Reserve notes which are noninterest bearing. These non-interest-bearing Federal Reserve notes, of course, were created by the System under the powers delegated to it by the Congress a long time ago and are printed by the Bureau of Engraving and Printing here in Washington, D.C.

What my bill proposes is that we cut the $30 billion principal from the amount of our national indebtedness, since it has been paid for once. By this action, we automatically reduce our annual interest payments on the national debt by $1.2 billion.

If the alleged conservatives were true to their faith—which, of course, they are not if it affects their own pocketbooks—they would insist that the national debt be cut by nearly 10 percent as here proposed. Instead, we will hear a loud noise against the legislation from both the banker dominated Federal Reserve System and its Open Market Committee, which is a closed shop deal whereby the credit of all the people is regulated by a few self-anointed believers in the divine right of money kings. All these will sing out in a mournful dirge along with the big banker dominated American Bankers Association. I care not what these people say because they are venal and antipublic spirited. Money is their god. They believe the public is made up of suckers who can be fooled while their pockets are picked.

I ask that the public understand that my legislation will not upset the economy. It will not ruin our banking system. It will not destroy confidence in the dollar. It will reduce the national debt by $30 billion and interest on this section of the debt by $1.2 billion a year that can remain in the pocketbooks of the American people.

In conclusion, I would like to point out that those who may oppose my bill are in reality insisting that that part of the public debt now held in the vaults of the Federal Reserve bank in New York should be paid twice by our citizens. I care not what shade of the political spectrum my colleagues may represent, I do not believe a majority want the American people to pay twice over for anything.

There is one other matter I would like to bring up that is pertinent to our money system. I am going to talk for a moment about a tightening of credit which has resulted since the beginning of the year from the activities of the Federal Reserve System.

In brief, they have been cutting down on the money supply of the Nation and when you do that, you tighten credit. I certainly am not in favor of loose credit, nor am I in favor of a weakened dollar or inflation or deflation. However, the best economists in the country are agreed that if you tighten the money supply, you cut credit. This can result in disaster because it curtails normal business expansion and, yes, it curtails business. This means more unemployment and results in more Federal appropriations to take care of the unemployed.

All of us want a steady business situation. That is why we must concern ourselves with what the Federal Reserve is doing, or has been doing, regarding the money supply. For weeks now, newspapers have been carrying stories to the effect that the Federal Reserve is tightening credit. The figures support these stories.

The basic measure of the amount of money which is available for lending and spending—the money supply—has continued to increase at an abnormally low rate. The level of free reserves, which measures the amount of money which is immediately available to banks for lending, has been negative throughout March and April. Banks have had to borrow an average of $76 million in March and an average of $139 million in the first 3 weeks of April in order to make the loans they have made.

As our economy produces more goods and services, people and businesses must have more money with which to buy the added goods and services if we are not to have an inadequate demand leading to unemployment and recession. Every recession since World War II has been preceded by a sharp decline in the rate of growth of the money supply. I hope the Federal Reserve is not going to repeat the same mistake in 1965.

There is no inflation nor balance-of-payments problem, nor any sign of excess which would indicate the need for such a tightening. Indeed, we have had a remarkably stable economic expansion. Our price level has been the most stable of any advanced industrial nation for over 7 years. And President Johnson's programs to cut our payments deficit have been so successful that several writers have begun to worry about a dollar gap.

I say let us do not upset the apple cart by upping interest rates and restricting credit, a formula that has proven disastrous so many times in the past. Let us be conservative. Let us reduce the national debt by $30 billion, instead of bringing on a depression.

A copy of my bill, H.R. 7601, introduced today, is as follows:

H.R. 7601

A bill to provide for the retirement of $30,000,000,000 of interest-bearing obligations of the United States held by the twelve Federal Reserve banks

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the twelve Federal Reserve banks shall transfer to the Secretary of the Treasury interest-bearing obligations (including discounted obligations) of the United States in the aggregate principal amount of $30,000,000,000. The respective amounts of the several issues to be transferred, and the valuation of discounted issues, shall be determined by the Secretary of the Treasury, and the respective amounts to be transferred from the several banks shall be determined by the Board of Governors of the Federal Reserve System. Obligations transferred to the Secretary of the Treasury pursuant to this section shall be canceled and retired.

SEC. 2. Each Federal Reserve bank shall be relieved of its liability upon an amount of Federal Reserve notes issued to it equal to the valuation at which the obligations transferred by it to the Secretary of the Treasury pursuant to the first section are carried on its books, and the Secretary of the Treasury shall transfer an equal amount, on the books of the Treasury, from contingent liability on Federal Reserve notes to direct currency liability.

THE WORLD'S WORST TIMEKEEPER OR THOSE COO-COO CLOCKS

The SPEAKER. Under previous order of the House, the gentleman from Tennessee [Mr. FULTON] is recognized for 15 minutes.

Mr. FULTON of Tennessee. Mr. Speaker, once again that confounding season of confusion and consternation is upon us. It is the daylight saving time season and it commenced again this past weekend. Before the season is out it will have cost this Nation's industry millions of dollars and millions of Americans will be inconvenienced.

This past weekend some 21 States, either statewide or on a local-option basis, switched from standard to daylight time. Between now and the last Sunday in May that number will increase to 31. Then, on the first Sunday in September the annual switchback to standard time will commence and it will be completed by the last Sunday in October except in some counties in Indiana where, I am told, the people enjoy saving time so much they just observe it year

round despite the fact that it is technically illegal.

In Virginia today certain portions of that State, particularly those around the District of Columbia, are on daylight time. Later this year the rest of the State will switch except for those areas in the southwestern portion of the State near and bordering Tennessee. They will not switch because Tennessee does not observe daylight saving time. It is illegal in the Volunteer State by act of the Tennessee General Assembly.

Every year the crazy quilt of time observance across this Nation alters its pattern. In 1963 there were 29 States where daylight time was observed either statewide or on a local option basis. In 1964 there was 31. In 1963, 16 States observed daylight time on a statewide basis; 13 did not. In 1964 saving time was statewide in 15 States; in 16 it was not. I believe these figures will be the same for 1965 with the exception, however, that over the past year changes have occurred in the duration of observance. Changes, I must add, which are for the better. There is a trend toward uniformity.

For this much credit must go to the Committee for Time Uniformity and its able executive director, Mr. Robert Redding. This nonprofit organization is interested in only one thing—the establishment of a sane and uniform observance of saving time across the Nation.

The committee has been working at the State and National level to bring this about and, over the past year, has had some limited results in working through State legislatures to achieve this uniformity. But much remains to be done and I feel that only through action by the Congress can we accomplish what needs to be accomplished to put an end to this unnecessary and costly annual time scramble.

Examples of the extent and the extremes to which this problem can be carried are numerous.

We are all aware, no doubt, of that celebrated 35-mile bus ride from Stubenville, Ohio, and Moundsville, W. Va. Until 1963, when the State of West Virginia made saving time mandatory on a statewide basis, passengers on that bus could change their watches seven times to conform to local time observance.

Admittedly this is a rare and extreme case which has now been corrected. However, it could happen again. It is my understanding that there are efforts afoot in West Virginia to again change the time laws of that State.

Or in Colorado, for example, where public debate over the time issue grew so heated that one lady legislator, I am told, was threatened with her life if she did not abandon her efforts in behalf of daylight time.

These are extreme cases, isolated instances. What is more important is the adverse effect these helter-skelter time changes generally have on industry and commerce in this Nation.

Each year, the simple act of changing the Nation's clocks cost millions of dollars.

The problem is particularly acute in the transportation industry. The Nation's railroads estimate this annual change in time costs them $2 million a year. The Nation's buslines estimate their loss at $1 million with $250,000 of this loss incurred in printing costs necessitated in keeping their schedules up to date. For the communications industry the revenue loss each year is now estimated at $2 million.

Let me cite an example. New York, New Jersey, and New England represent the Nation's largest trade center. There are 34 million persons who live in this area.

A great deal of trade and business in my home city, Nashville, Tenn., is conducted back east. In Nashville, as throughout Tennessee, we observe standard time throughout the year. Nashville is on central time. This means that during the saving time season there is a 2-hour time difference between Nashville and, say, New York City, though Nashville is hardly more than 500 miles directly west. The observance of saving time in the east and the failure to observe it in Nashville has these results:

First, very little of any business can be transacted before it is 11 a.m. in the east which is 9 a.m. in Nashville. Second, very little business will be transacted after 4 p.m. in Nashville because it will then be after 6 p.m. in the east. Now, take another hour out of the day for the eastern businessman to have lunch and an hour for the Nashville businessman to have his lunch and you have lost another 2 hours from the day's business time.

You can see from a very practical point of view the adverse effect this has on commerce.

Now, suppose also I want to contact a constituent back in my district. I cannot very well call him at his office until 11 a.m. here in Washington because he will not be there. Therefore, I can probably get him between 11 a.m. and noon Washington time. Then it is lunchtime here. At 2 p.m. Washington time it is lunchtime in Nashville. Then, if by some stroke of fortune I am able to get away from my office here by 6 p.m. and someone at home attempts to call me he will be a little irked and probably think I am neglecting my duties because it is only 4 p.m. in Nashville.

Every day in dozens of similar ways the inconvenience and economic waste arising from this annual time scramble is becoming more and more intolerable. Across the Nation there is growing sentiment for bringing order to this annual chaos of the clock. Even the Farm Bureau Federation, so long opposed to the observance of saving time, is now on record in favor of uniformity of observance where it is observed.

In this Nation it can be said that our people favor daylight saving time. It is observed in 31 States by over 100 million persons. It can also be said that there is a trend to ever greater acceptance of saving time. In the past 2 years two additional States, Kentucky and South Dakota, have moved from the list of States where fast time is not observed to that list where it is observed on a local option basis.

The time has come, however, to put to an end this piecemeal policy of switching the clocks at local convenience. There may have been a time in this country when observance of time was strictly a matter of local convenience and concern. In the age of the jet, however, this time has long passed.

There is a very simple but direct answer to this problem. That is for the Congress to enter this field of time regulation and put it on a rational basis.

To do this I have introduced a bill, H.R. 76, which would put the entire Nation on saving time 6 months each year from the last Sunday in April to the last Sunday in October.

Under the weights and measures clause of our Constitution the Congress has the authority to regulate time in this Nation. There is also precedent for the exercise of this authority. During World War II, when this Nation's defense effort could little afford the waste occasioned by the annual time scramble the entire Nation was put on saving time.

For years the Interstate Commerce Commission has requested the Congress to take the jurisdiction for regulating time from its hands or put some teeth into the law so that it can enforce it. Congress has done neither. The result has been this continuing annual piecemeal shifting of the clocks.

If we are to build the Great Society, it would seem to me our first task might well be to synchronize our watches. Let us do it now, without any further waste of time.

THE LAPP INSULATOR CO., OF LE ROY, N.Y.

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CONABLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. CONABLE. Mr. Speaker, the Lapp Insulator Co., of Le Roy, N.Y., located in the congressional district I am privileged to represent, has been engaged in a program to settle actions for triple damages brought against it as a result of the antitrust indictments of the electrical equipment manufacturers in 1960. The company has settled more than 65 percent of its litigation to date.

The company has been proceeding on the basis of the Internal Revenue Service ruling of last year, but is now disturbed by the efforts to change these rulings in a manner which would be highly damaging to it. Mr. Brent Mills, the president of Lapp Insulator, has written to the Joint Committee on Internal Revenue Taxation, which is studying this matter, and has put forth the position of his company in a sound and clear fashion. I submit a copy of Mr. Mills' letter for the RECORD so that all my col-

leagues may read his discussion of this matter:

LAPP INSULATOR CO., INC.,
February 16, 1965.

Mr. LAURENCE N. WOODWORTH,
Chief of Staff, Joint Committee on Internal Revenue Taxation, New House Office Building, Washington, D.C.

DEAR MR. WOODWORTH: This letter is addressed to you upon my understanding that you are conducting a preliminary investigation in connection with revenue rule 64–224 relating to the deductibility as a business expense of amounts paid in settlement of private treble damage actions under the antitrust laws.

My company, Lapp, is one of the smallest, if not the smallest, of the companies who became involved in the treble damage litigation which followed the indictments in Philadelphia in 1960 of various electrical equipment manufacturers. My company had never before been a party to any lawsuit during the many years of its existence; practically over night, however, we found ourselves confronted with almost 100 lawsuits brought by hundreds of plaintiffs in many jurisdictions throughout the country. Obviously, whether or not we were under any liability, it was impossible for my company to litigate these cases to a conclusion; our only salvation was a settlement program which we promptly inaugurated and which we have for several years now pursued with vigor and success. My company has settled now more than 65 percent of the litigation, and we have, for a company of our size, paid out very substantial amounts as price adjustments in connection with the settlement.

I am no tax expert, and I do not intend to express my view as to the legal precedents involved, but I do want to bring to your attention and to the attention of the committee the belief of at least one small company that any reversal of the ruling in question could be disastrous to our continued competitive standing. I fervently hope that the ruling, which I am told was most carefully and thoroughly considered by the Internal Revenue Service before it was issued, will not be subject to reversal. I believe that in relationship to the problems and situation of this company, at least, the ruling is sound and eminently fair.

Moreover, we have made a number of settlements in reliance on the holding of the ruling that amounts paid in settlement are deductible. I think it would be completely unfair to now reverse the publicly announced policy of the Internal Revenue Service. It would double the cost to us of the settlements previously negotiated and, in view of our limited capital resources, would seriously jeopardize our competitive position.

Sincerely yours,

BRENT MILLS,
President.

THE UNITED STATES LINES

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. TUPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. TUPPER. Mr. Speaker, it is gratifying to note that one of our Nation's great steamship companies, the United States Lines, has taken the lead in urging American shippers to increase their use of U.S. vessels to help the balance-of-payments situation.

An article appearing in the Baltimore Sun March 23, tells of this helpful effort, arising from the suggestion of U.S. Secretary of Commerce, John T. Connor, that American exporters and importers increase the use of American-flag vessels. The article follows:

USING U.S. SHIPS HELD WAY TO AID PAYMENTS SITUATION

NEW YORK, March 22.—This Nation's adverse balance-of-payments situation could be substantially helped—by millions of dollars—if American shippers would increase the use of U.S. vessels.

This is the theme of a message being sent to leading American industrial executives by the United States Lines, one of the Nation's leading steamship companies.

JOHNSON APPEAL BACKED

The message, contained in a letter sent by the steamship line, supported and emphasized President Johnson's recent appeal to American industry to explore every means toward eliminating the balance-of-payments deficit.

The President made the appeal February 18 at a White House meeting of top American industrial executives. That meeting was followed closely by another, called by the Secretary of Commerce, John T. Connor.

At his meeting, Connor—among other things—suggested that exporters and importers increase their use of American-flag ships for the movement of commerce.

By doing so, Connor said, the shippers would be making a definite contribution toward helping to stem the drain of American dollars overseas.

SENT TO 21,000 SHIPPERS

Connor's statements were mentioned in the letter, which was sent to more than 21,000 shippers. A similar letter, signed by William B. Rand, president of the steamship company, was also sent to more than 800 company chairmen and presidents throughout the Nation.

"When an American-flag ship is used to transport your cargoes overseas," the letters said, "virtually all the freight dollars are conserved to the benefit of the United States—whereas, the opposite is true if other vessels are used."

As a result of this fact, the letters continued, the American-flag shipping industry contributes almost $1 billion a year directly to the U.S. balance of payments.

"If there were no American-flag fleet, our balance-of-payments deficit would be some $2 billion greater," the letters added.

Mr. Speaker, over the years U.S. shippers have on a number of occasions been urged to increase their use of U.S. ships by Members of Congress, leaders in the maritime unions, steamship executives, and members of the executive branch of Government.

One of those who has constantly carried this message to American industry is the Honorable James A. Reed, Assistant Secretary of the Treasury. On March 21, 1963, speaking before the Philadelphia Maritime Association, Secretary Reed said:

I sometimes think we are not altogether mindful of the intent and purposes of the Merchant Marine Act of 1936. It behooves us to remind ourselves and our foreign associates, that this legislation was written not with the intent of benefiting shipping companies as such. It was written for the benefit of American business as a means of insuring that the products of our firms and factories would have a vehicle to reach foreign markets and that we would have the necessary facilities to assure carriage of our domestic commerce as well. The Congress was aware that without ships under our own flag we could not be certain of maintaining our foreign trade.

In the carriage of general cargo or passengers in regular liner service, it does not cost 1 cent more to use an American-flag ship. Through the various conferences covering the trade routes of the world, identical rates are set for ships in that service, regardless of the flag they fly.

Again on October 10, 1963, Secretary Reed, speaking at the American Merchant Marine Conference in Baltimore, Md., said:

Obviously our balance of payments is helped by the use of American shipping * * * the Department of Commerce has found that during 1962 our ships received freight revenues from foreigners approximating $600 million, while U.S. customers paid over $800 million for the carriage of ocean freight on foreign ships. This deficit reflects the declining participation of U.S.-flag vessels in the transportation of foreign trade.

Mr. Speaker, I hope the Members of Congress will exert their influence in their respective districts in urging domestic industries doing business overseas to utilize U.S. ships, thereby helping to build up our U.S. merchant marine, maintain and create U.S. jobs, and contribute greatly to our adverse balance-of-payments condition.

INTRODUCING A BILL TO PROVIDE FOR THE EQUAL TAXATION OF COMMERCIAL BANKS, SAVINGS AND LOAN ASSOCIATIONS, AND MUTUAL SAVINGS BANKS

Mr. BROYHILL of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. CURTIS. Mr. Speaker, legislation enacted in 1962 recognized the inequitable situation then existing whereby savings and loan associations and mutual savings banks were virtually free from the Federal corporation income tax. The 1962 enactment apparently has failed to attain its full purpose. It permitted savings and loan associations and mutual savings banks to deduct as bad-debt loss reserves a substantially larger part of their taxable income than that permitted the commercial banks. There seemed to be and still seems to be sound reasons for some differential treatment. However, the prospective revenue yield from the measure had been estimated by the Treasury at $200 million—$168 million from savings and loan associations and $32 million from mutual savings banks—but actual collections for the year 1963 were only about $98 million.

The commercial banks still argue that an inequity exists in this bad-debt differential and results in an unfair competitive position. There has been some argument to increase the amount that

commercial banks should be allowed to deduct as bad debt. However, because of the unexpected small amount of revenue derived from the 1962 enactment, the other aspect of the problem that of an unrealistically high figure for the savings and loan and mutual banks needs further looking into. Certainly in the interest of all the financial institutions, the Congress should review the entire situation.

In order to bring this matter before the Congress, I am introducing H.R. 7585. It is a simple measure. It merely removes the present allowance for bad-debt loss reserve deductions by savings and loan associations and mutual savings banks and permits them to use the same bad-debt loss reserve deduction formula now applicable to commercial banks.

In my opinion, enactment of this bill amended to provide possibly for some increase in bad-debt reserves for commercial banks and possibly leaving some differential to reflect valid differences existing in the bad-debt reserves of the different financial institutions, will provide more equitable basis for the taxation of the competing financial institutions, savings and loan associations, mutual savings banks, and commercial banks. The total result should also lighten somewhat the burden on all other taxpayers by broadening the tax base and producing additional revenue.

THE 50TH ANNIVERSARY OF THE ARMENIAN MASSACRE

The SPEAKER pro tempore (Mr. RONCALIO). Under previous order of the House, the gentleman from Massachusetts [Mr. PHILBIN] is recognized for 60 minutes.

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I want to express on this occasion my deep sorrow and my sense of tremendous emotional upset upon the occasion of the 50th anniversary of the Armenian massacre.

Mr. Speaker, on the 50th anniversary of the atrocious, unspeakable Armenian massacre, an event so shocking and revolting to the conscience of mankind, it is appropriate that the House should pause once again to note this horrifying experience in human affairs so ruthlessly imposed upon the helpless, God-fearing Armenian people.

It is significant indeed that the opening prayer in the House this morning should have been offered by the distinguished prelate of the Armenian Church of North America, His Grace Archbishop Hrant Khatchadoorian; and the House was deeply moved, as the country will be, by his lofty, spiritual message containing sorrowful, but shocking, references to one of the most coldblooded, incredible mass destructions of human lives that has ever occurred.

I want to compliment and thank the beloved archbishop for his eloquent and moving prayer which so touched the hearts of the Members of this House.

In my remarks, I do not propose to make an assessment of the perpetration or total impact of this terrible event in history. Though it is past, it will never be forgotten, either by the Armenian people who so cruelly suffered this unspeakable, unbelievable tragedy, or their many friends in the world.

It can never be stricken from the annals of recorded history. Down through the long, unbroken channels of time, the recollection of the Armenian massacre will stand out in all its starkness and brutality as an example of one of the most horrifying episodes in history, illustrative of unrestrained inhumanity to man.

Many people of Armenian blood reside in the United States, with many of them in my district, and they are among our foremost citizens, loyal Americans, who have sustained and upheld the ideals, principles, and security of this country in war and in peace.

These great people are second to none in their love of God, of family, love of humanity, love of this country, and devotion to the highest concepts and practices of ordered liberty and freedom.

Many citizens of Armenian blood reside in my district, I repeat, and they are friends and neighbors of mine, and I cherish, respect, and admire them for their fine qualities as human beings, and am grateful to them for their warm friendship to me, and for their unsurpassed citizenship and for their loyalty to the loftiest truths and principles of this great Government and this great free way of life so precious and dear to all Americans.

It is not my purpose in these remarks by recalling the horrible events of the Armenian massacre to reawaken the hatreds and animosities that have sprung, and that still endure, as a result of the dreadful massacre of more than 1½ million native Armenians and their families.

The passage of time and the deep, religious spirit of the Armenian people have tended to nurture a truly spiritual feeling of forgiveness for these terrible crimes. But these wanton outrages can never be forgotten, because they have seared deeply into the hearts and souls of the Armenian people, and other peoples of the earth, who still recall these incidents with a sense of crushing horror, deepest, most profound grief, poignant sorrow, and thoughts of most heartfelt sympathy for the pitiable victims, and the bereaved families and their survivors, and the Armenian nation and people, to whom the recollection of this bloody mass murder will always bring feelings which no words could describe.

While we live today in a world which has not yet learned how to put love of human beings ahead of hate, to put decency ahead of mistreatment, to put kindness ahead of persecution and violence, there are brightening signs that much of human kind is now moving to soften such feelings and emotions, and is striving to organize the forces of morality and righteousness and the conscience of an awakened, aroused, united humanity pledging itself to find a better way to live, a more decent way to settle problems, and to usher in the healing, antiseptic light of a new day in which people will live together in love, harmony, and peace. For this day we must all seek and pray.

Mr. Speaker, it should be said here today that the gallant people of Armenia suffered more during World War I than any other people involved in that war. They not only lost all their worldly possessions, but more than half of the 2 million Armenian people living in Turkey lost their lives under circumstances of terrible brutality and cruelty.

In the course of less than 1 year, this heartless genocide was accomplished and more than 1 million Armenians were massacred or died of starvation, while hundreds of thousands were enslaved.

This is an awful story to recount, but as we have seen in the history of the world, unrestrained force, cruelty, brutality and slaughter were not able to destroy the spirit of the courageous Armenian people and they have found the way to their place in the sun.

They have given to America the fullness and the richness of their ancient culture. They have won here in our midst the respect and admiration that is reserved for those who live, work, and serve with honor, vitality, loyalty, and fortitude. They have won our affections also, and as we sorrow with them, we ask the good Lord to bring them comfort and resignation and to engender in them more and more through spiritual encouragement and the God-given power, of spiritual strength, the way to lift their hearts in forgiveness and to join with all those of us who are committed to the cause of freedom and humanity, as they have been doing, with renewed dedication of purpose to promote good will, love, and brotherhood among all peoples of the earth willing to embrace the divine blessing.

I want to commend the Armenian people and their leaders, spiritual and temporal, for their patience and forbearance and for the wonderful virtues they have displayed in their personal and family lives and in so loyally fulfilling the highest call of citizenship and for the exalted order of their patriotism and devotion to this country and the cause of peace and freedom.

May their martyred, dear ones rest in peace, and may their blessed memory bring inspiration, hope, and strength to all of us who seek a more enlightened humanity and a more peaceful world based on principles of freedom and justice.

In the words of their great spiritual leader, Archbishop Khatchadoorian, Prelate of the Armenians of North America, let us not ask for retribution or vengeance, but have the compassion and love which the Savior offered to us through his sacrifices, that we may live freely with joy and happiness amidst all the glories of His creation.

Long live Armenia and the Armenian people.

Mr. Speaker, I include as part of my remarks an article from the Worcester,

Mass., Daily Telegram; one from the Hairenik Weekly containing Bishop Khatchadoorian's recent remarks at Detroit, Mich.; and an editorial from the Armenian Mirror-Spectator; also an article from the Blackstone Valley News-Tribune. I express deep thanks to my friend, Mr. John Der Hovanessian for his views, counsel, and warm friendship.

The articles follow:

[From the Worcester (Mass.) Daily Telegram, Apr. 26, 1965]

SPECIAL SERVICES MARK ARMENIAN OBSERVANCE

(By Craig R. Whitney)

About 700 persons attended a service in Tuckerman Hall yesterday in commemoration of the 50th anniversary of the genocide or deportation of hundreds of thousands of Armenians by the Turks in 1915.

The special service, uniting members of three different Armenian churches in Worcester, followed traditional services in each of the churches, Armenian Church of the Martyrs (Congregational) Armenian National Apostolic Holy Trinity Church, and the Armenian Church of Our Saviour.

SPECIAL PRAYERS

Special prayers for the Armenian martyrs were also held in Catholic churches of the diocese by order of Bishop Flanagan. In Boston, a solemn pontifical mass in the Cathedral of the Holy Cross was celebrated by Most Rev. Thomas J. Riley in commemoration of the event, and a delegation from Worcester's Armenian community attended.

Most Rev. Michael Ramsey, Archbishop of Canterbury, asked Anglicans to join the observation of the commemoration.

Even a Soviet newspaper in Moscow Saturday accused Turkey of genocide.

DEMONSTRATION PLANNED

Armenian students there also planned a demonstration in front of the Turkish Embassy, but were forced to move away.

In Worcester's observance yesterday, Rev. Vartan Hartunian, minister of First Armenian Church (Congregational) of Belmont, who came to this country in 1922 as a refugee of World War I, spoke of the uniqueness of Armenian Christian culture and of his experiences in Armenia.

Dr. M. G. Sevag, professor of the University of Pennsylvania, spoke in Armenian, and Dr. Anthony Varjabedian of Worcester in English, on the history and political goals of the Armenian people.

HONORED GUESTS

Honored guests included Mayor Mullaney (who proclaimed last Saturday as Armenian Martyrs' Day here), Rabbi Joseph Klein (who compared the genocide of the Armenians in 1915 to that practiced on the Jews by the Germans in World War II), and Rev. Dr. Ralph L. Holland, executive secretary of the Greater Worcester Area Council of Churches.

Special prayers, solos, and recitations were included in the program.

In Whitinsville, a special service was held in the Armenian Apostolic Church yesterday afternoon. About 200 attended.

PRINCIPAL SPEAKER

Principal speaker was Haigaz Kazarian of Boston, representing an Armenian newspaper. State legislators and clergymen from Catholic, Protestant, and Episcopal churches in Whitinsville and Northbridge also spoke. Chairman was George K. Papazian. Pastor of the Host church is Rev. Sahaz Vertanessian.

The massacres commemorated occurred in the spring and summer of 1915, when, by some estimates, 600,000 to 850,000 Armenians were killed by the Young Turks and additional hundreds of thousands were deported.

The explanation for the slaughter is complex, but major reasons were the clash of Armenian Christian and Turkish Moslem culture and Armenian resentment of long years of tutelage under the Turks.

The Ottoman Turks began ruling Armenia in the 16th century and continued, under more or less liberal regimes, down to the 19th century. The system of Armenian self-government under Turkish sovereignty began to grow outmoded, however. In the late 19th century, a period of rising nationalism everywhere, Armenia—partly ruled, then, by Czarist Russia—began to demand independence.

These ambitions were encouraged by the war between Russia and Turkey in 1878. When Russia tried to take another slice of Armenia at the end of that war, Great Britain balked, because important roads from Constantinople to India passed through Armenia. The British, in effect, implied that they would protect Armenia.

The tensions among the countries gave the Armenians a chance to work harder for independence from the Turks. They expected much help, but got little, from the outside.

In the 1880's, they formed revolutionary societies. The Turks took reprisals in the form of slaughters—more than 80,000 Armenians perished in 1895. But a period of reconciliation and improvement followed, and when Turkey entered World War I on the side of the Central Powers, Armenians assured the Young Turk government of their loyalty.

But harsh treatment of Armenian soldiers in the Turkish armies dissipated this good feeling and caused racial friction. In 1915, the Turkish government decided to "solve" the Armenian problem by exterminating or deporting all the Armenians. Men, women and children were robbed and killed indiscriminately or deported. Many of them came to America, whose missionaries had made our culture known to the Armenians.

After the defeat of the Central Powers, Armenia was declared an independent nation, but was soon invaded by both the Soviets and the Turks, and has been ever since split between the two. An Armenian Soviet Republic, containing only a part of the former Armenia, which spread from the Black Sea to the Caspian Sea, was set up in December, 1920.

[From the Hairenik Weekly, Apr. 22, 1965]

THE PRELATE'S REMARKS ON TURK GENOCIDE

(The prelate's remarks at a 50th anniversary observance held at Detroit, Mich., March 19)

(By His Grace Archbishop Hrant Khatchadoorian)

Fifty years ago a sacrilege took place on a territory that had been unjustly taken from a good Christian people in the 13th century. That territory was called Armenia and Cilicia, and its inhabitants were called Armenians. Not in a thousand years in the history of mankind was there such a tragic drama as that enacted by the Armenians 50 years ago. This crime is now known by the name of genocide.

A genocide that was barbaric and abominable, negating the teachings of all religions. It was planned and performed with an unimaginable savagery. I need not mention the name of the government or the people who performed that terrible crime which I list as the eighth mortal sin to the known seven sins. If the people of the world, or the Christian churches, want to know the name of the perpetrators of that eighth sin, let them inquire of the Armenian people who have endured the pain of persecution and injustice, brought to a tragic conclusion 50 years ago.

Today, dispersed throughout the four corners of the world, Armenians are appealing to the hearts and conscience of humanity rather than to the established peacekeeping world organizations, with tears in their eyes, with sad hearts, but with bright aspirations and strong shoulders. Why was this genocidal crime permitted against the first Christian church and against its peaceful flock, the Armenians? Why was the destruction of churches, schools, and entire families tolerated? Why was a whole nation deserted to be massacred or be driven to the burning sands of the desert to die of starvation and thirst? In spite of all that, our martyred people gazed toward the heavens and uttered the words of our Savior, "Father, forgive them, for they know not what they do."

The Calvary of the Armenian people had thousands of crosses. Those crosses were the ossified arms and fists of the martyred lifted in search of justice. Two thousand years ago Christ was crucified on the summit of Golgotha. His arms stretched back and nailed on the cross. In 1915, Christ lowered His right hand from His cross and uttered to the Armenian people, "Come unto Me, all ye that labor and are heavy laden and I will give you rest." In Antelias, there is an oil painting hung on the altar of St. Stephan's Memorial Chapel appropriately placed opposite the bones and skulls of massacred Armenians that dramatically shows the invitation of our Saviour to His people.

Today, after 50 years, our whole nation demands, in evangelic spirit "Ask, and it shall be given you: seek, and ye shall find; knock, and it shall be opened unto you." We demand the return of our own country. We seek to shatter the chains of captivity and to return to our paternal homeland, where we want to become the fourth fruitful seed, even as the one in Christ's parable of the sower. We want to see a healthy development on our soil of our people's mental and spiritual creations. We want to see a free and independent and whole Armenia.

For the last 600 years we have been living with the consolation of a spiritual fatherland. But, hereafter, we demand the emancipation of our confiscated territories, which together with the boundaries of present Armenia, will reestablish a free Armenia, as rightfully designated by President Wilson. We want the return of our sacred Mount Ararat, biblically renowned for Noah's ark—Mount Ararat the granite pedestal of our spiritual life and power; our silent witness to our rededication and sacred devotion to the rebirth of our homeland.

Today, after 50 years, we weep no more, we stand proud and victorious before the peoples of the world, shielded by the armor of our ancient religion, our advanced learning and our perpetuated culture. Our minds are clear, our hearts beat with the assurance of the sun of justice and with the verdict of the righteous judge. We appeal to humanity, we appeal to our beloved Government of the United States and to its diversified citizenship to join us in our prayers and in our pleas for justice on the occasion of this 50th anniversary of genocide of the Armenian people.

May the Lord bless the peaceful memory and soul of our 1½ million dear martyrs.

My dear friend the Honorable Congressman DERWINSKI, I urge you to be one of our spokesmen for our demands and our plea of justice. You and your fellow Congressmen speaking out on behalf of captive nations have won the heartfelt gratitude and friendship of millions of persons. We respect and love you and bless your humanitarian efforts.

[From the Armenian Mirror-Spectator, Apr. 24, 1965]

OUT OF SMOULDERING ASHES

The Armenian people in Turkish-occupied Armenia had existed in the numbness of a virtual state of slavery since 1375, when the

last Armenian kingdom in Cilicia fell prey to the invading Memelouks. In the 19th century, after the influenx of Western ideas of liberty and democracy into the country, the leaders of the Armenians awakened, and there was a general stir and cry for reform and for a limited amount of self-determination. The alternatives were eternal slavery or death.

The Turkish Government since Sultan Hamid had chosen to close the Armenian question by the alternative of death. After sporadic massacres in the 19th century in which many thousands of Armenians were killed by the Turks, the great crime began in 1915, 7 years after the young Turk Government had declared a new constitution promising "liberty, equality, and fraternity." Talaat Bey, Minister of the Interior, together with Enver and Jemal, headed the Government. They, with the consent and encouragement of many Turkish officials, started the deportations and atrocities. Talaat gave the orders.

April 24, 1915, is the day on which hundreds of Armenian leaders in Istanbul were taken into Government custody and killed. The marches in the interior provinces that soon engulfed all villages, towns, and cities, had already begun, and although there was Armenian defense in many areas, 1½ million Armenians succumbed to slaughter, after tortures and atrocities. The massacres continued after 1918, when the mask of World War I was gone, in Transcaucasia under the leadership of Kemal.

The Turkish Government had its way in the complete domination and usurpation of the western part of the Armenian historical homeland and part of eastern Armenia. Other Christian nations and people who had shown some sympathy to Armenians previously, ignored the Armenocide and did not intercede on behalf of Armenians, though they acknowledged with gratitude the help of many Armenian soldiers that fought for the Allies. There were notable exceptions, men who tried to stop the massacres or to aid the Armenian cause, men such as Dr. Lepsius, Lord Bryce, Gladstone, Morgenthau, Nansen, Woodrow Wilson, and others.

The Armenians in Armenia and those in the Dispersion have not forgotten their friends; nor have they forgotten their Turkish enemies; nor shall they ever forget their martyrs. On this, the 50th anniversary of the great crime, they remember that lives, homeland, and $35 billion in savings and property were lost to the grace of the Turkish Government and mob. They remember that the world has not yet recognized the need for restitution, and that Turkey itself will never even admit its crime and its present distortions of history. These Armenians feel that the cause of justice is never outdated.

And they realize that out the smouldering ashes and the bodily ruins of death and decay, a small Armenia was born and has made tremendous progress and contributions to the universal cause of education, scientific advancement, arts, and the renaissance of its own cultural heritage. Turkey, by comparison, with much more land and many millions more population, has not made any significant contributions in these fields, even with its billions of dollars of foreign aid.

As an ancient people, Armenians have experienced the flow and ebb of many regimes and many wars, and they know that peace is the only answer.

[From the Blackstone Valley News Tribune, Whitinsville, Mass., Apr. 21, 1965]

A HISTORY OF ARMENIAN MASSACRE

(By Mrs. Samuel Sagherian)

The local Armenian Americans have organized a committee to coordinate local efforts on behalf of the national observance for the 50th anniversary of the Turkish massacres of the Armenians. The committee has been organized from the chapters of the Armenian Revolutionary Federation, the Armenian Relief Society, and the organizations of the Armenian Apostolic Church. The executive committee is made up of the following:

Honorary chairman, Rev. Sahag Vertanessian, pastor of Soorp Asdvadzadzin's. Cochairmen: Mr. John Moscofian, Mr. George Papazian. Public Relations: Mrs. Samuel Sagherian, Mr. Horan Hougasian. Program committee: Mr. Archie Misakian, Mr. Samuel Sagherian, Mr. Varkis Arakelian.

Subcommittee members: Mrs. Haiganoosh Egsegian, Mrs. Siraphi Johnson, Mrs. Louise Mantashigian, Mrs. Varter Bedigian, Mrs. Jeannette Sisoian, Mrs. Varsenig Papazian, Mrs. Horan Hougasian, Mrs. Archie Misakian, Mr. Carl Tosoonian.

The anniversary commemorates the opening of a systematic 4-year-long harassment of Armenians by Turks during the period of 1915–18. On April 24, 1915, Turks bent upon the virtual genocide of Armenian people arrested more than 100 Armenians intellectuals in Constantinople, transported them into the interior, and murdered them.

In the months and years that followed, Armenians were subjected to a devastating war tax, their towns and villages were pillaged, and their men were forced into Turkish labor battalions, later to be slaughtered.

All males 12–45 years of age were abducted from their families and homes and were killed. Older men, women and children under 12 were deported to the Syrian desert in northern Mesopotamia, though many did not survive this journey. Women were attacked and murdered. Children were put to the sword, property was stolen, and homes were impounded.

According to experts, a million and a half Armenians were killed, while another million were permanently scarred, sickened, and maimed. It is estimated that about one-half of all known living Armenians in 1915 were victims of the Turkish genocide. In addition, 2,050 churches and 203 Armenian monasteries were seized, with a total value estimated at a billion dollars. A mere 10 percent of all Armenian clerics in the affected areas survived attendant atrocities. Only one prelate was spared; the others brutally murdered. Hundreds of Armenian churches were converted into armories and houses of ill repute or were razed. Estimated loss to the Armenian nation during the 1915–18 period has been set at $36 billion.

Famous historian Arnold Toynbee called his account of the massacre "Armenian Atrocities: The Murder of a Nation." During the last session of Vatican Council II, the Armenian Hierarchy, addressed the matter to the Fathers of the Council meeting at St. Peter's Basilica, describing the persecution as a horrible crime perpetrated upon the Armenian people. On December 6, 1915, Pope Benedict XV referred to "the most unhappy Armenian people (who) have been brought close to extinction."

Mr. DONOHUE. Mr. Speaker, at this time of the 50th anniversary of the cruel and inhuman Armenian massacre of infamous history it is most fitting that the U.S. House of Representatives should suspend its business in order to express its great horror and deep sorrow concerning this awful example of man's inhumanity to man and to pay just tribute to the faithful and courageous people of Armenia.

Back on the 24th day of April in 1915 and during the following several weeks, thousands of Armenian leaders in all walks of life were arrested throughout the Armenian communities, by Turkish authorities, in the middle of the night and deported in groups to distant areas and a great number were murdered with extreme cruelties.

At the same time young Armenians who had been faithfully serving in the Turkish Army were disarmed and murdered by their Turkish fellow soldiers under the orders of their officers.

Having decimated, in this frightful manner, the country of its leaders and fighting men the Turkish Government then next proceeded to deport the entire Armenian population in historic Armenia to distant, desolate regions in Turkey.

Nearly 2½ million Armenians, mostly old men, women, and children, were forced to abandon their homes, their businesses, their belongings, their churches, and schools to form caravans for a terrible journey which reached from the Armenian Plateau to the hot sands of the distant Arabian Desert.

It is estimated conservatively that 1½ million weak and defenseless human beings died in the course of that indescribably inhuman journey from hunger, thirst, exposure, or at the murderous hands of cruel gendarmes and Turkish and Kurdish ruffians all along the way.

Mr. Speaker, the full extent of this most barbarous happening of unprovoked and senseless murder and rapine of even innocent women and children will never be known but even a summary account of only a very small part of such a baseless and brutal political crime is more than enough to cause any decent civilized human being to be filled with horror and revulsion.

However, the most amazing and remarkable thing in this long and excruciating visitation of persecution, injustice, and extreme suffering is that the Armenian people retained their faith, their courage, their beliefs, and their hopes and survived as a Christian nation.

It is unhappily true that their national existence is even now dark and discouraging, under the domination of brutal atheistic communism but, by our recognition here this afternoon, we express our determination and our conviction that neither we nor they will ever despair about their future liberation.

Those of us who have lived among American-Armenians as friends and neighbors know full well why the native people of Armenia will never give up their fight for freedom. The American-Armenians have been second to no other nationality in accepting their share of the burden and contributing their full measure of sacrifice to the development and progress of this country.

In private life the American-Armenian is an honest, industrious, cooperative citizen in his community.

When our Nation has been attacked by armed aggression, the Americans of Armenian origin have distinguished themselves in all ranks of our Armed Forces, and may be justly proud of their military record here.

In the fields of business and professional life in America, the Armenian descendant has exhibited the highest qualities of character and accomplishment.

Having lived and worked among Armenian-Americans practically all my life, I can personally state my own conviction that the spirit of the homeland, as evidenced by the descendants, will never be defeated by any type of barbaric persecution.

As a fellow American, I take heart and courage from their example and the example of the valiant people in their native land.

The struggle of Armenia today is essentially the same struggle in which the United States and all other Christian nations are now fiercely engaged against the most ruthless enemy the civilized world has ever known.

Mr. Speaker, as we, then, today salute the martyrdom, the faith, the courage and the dedication of the Armenian people let us here renew our pledge to persevere in our common fight against the modern Communist enemy until the free cause of the United States, Armenia and all other peace-loving nations is achieved and may the Almighty speed that happy day.

GENERAL LEAVE TO EXTEND

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to extend their remarks on the subject of this unspeakable occurrence.

The SPEAKER pro tempore (Mr. RONCALIO). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

BIRTHDAY OF TANZANIA

Mr. POWELL. Mr. Speaker, today is an especially important date in the Republic of Tanzania, for it marks the first birthday of the Republic created 1 year ago by the merger of Tanganyika and Zanzibar. On this memorable occasion, we wish to send warm felicitations to His Excellency, President Julius Nyerere, of Tanzania.

The merger was a surprise to many, who viewed the two governments as ideologically at variance and who considered such a major political step unlikely at a time when both countries had just been through political crises. Predictions differed. Some felt that union would not last. But a reassessment at the end of the first year shows that already important steps have been taken toward consolidating and strengthening the union.

Physically the two countries resemble each other little. Tanganyika is a large east African country nearly 363,000 miles square in area. The greater portion of the land consists of an immense plateau. Tanganyika is also the site of Mount Kilimanjaro, the highest mountain in Africa, snowcapped the year round even though it is only 3° south of the Equator, and of Lake Victoria, the second largest fresh water lake in the world. By way of contrast, Zanzibar is an island—or rather two islands, Zanzibar and Pemba—lying off Africa's east coast. The islands are low-lying, studded with bays and inlets, lush with tropical vegetation, and fragrant with the aroma of cloves, the main product of Zanzibar.

Furthermore, differences between Zanzibar and Tanganyika were not limited to physical features alone. The Government of Zanzibar was viewed as drifting ever further leftward, while Tanganyika was pictured as friendly to the West though nonalined.

What brought these two countries together? One of the forces was probably the appeal of the idea of unity in east Africa. The four east African territories of Tanganyika, Zanzibar, Uganda, and Kenya were functionally coordinated under the British colonial administration, and the idea of an eventual east African federation is still a potent force. Shortly after the merger of Tanganyika and Zanzibar last spring, the President of the new Republic of Tanzania, Julius Nyerere, called once again for an east African federation of Tanzania, Uganda, and Kenya.

In any event, on April 26, 1964, Tanganyika and Zanzibar merged into a single sovereign state. The articles of union provided that the new republic would be governed by the constitution of Tanganyika pending the adoption of a new constitution. Zanzibar would retain a separate executive and legislature to handle domestic affairs, but national matters—external affairs, defense, immigration, trade, customs, taxes, and police powers—would be dealt with exclusively by the executive and parliament of the United Republic.

The first year of the union has witnessed the implementation of the articles of union into a workable governmental system. The police force has been successfully integrated. Foreign relations have been taken over exclusively by the union government. Gradually the diverse institutions and policies of the two countries are being integrated, and the two countries are genuinely merging into one. A new development plan has been drawn up by the union government.

On this important anniversary we salute you, President Nyerere, Vice President Karume, and the people of Tanzania, and express our best wishes for the continued successful development of the Republic of Tanzania.

OREGON SENATE MEMORIAL— GRANDE RONDE DAMS

Mr. MACKAY. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. ULLMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ULLMAN. Mr. Speaker, one of the river basins that suffered severe damage during the December-January flood disaster in the Pacific Northwest is the Grande Ronde Basin, of northeast Oregon. An engineering and feasibility report by the U.S. Army Corps of Engineers for the development of dams of the Grande Ronde River and Catherine Creek in the basin is currently before the Secretary of the Army for approval. It is most important that these projects be authorized and constructed as soon as possible.

The Oregon State Legislative Assembly, in Senate Joint Memorial 6, has memorialized the Congress and the executive department in support of these projects, and it is my pleasure to submit the memorial herewith:

SENATE JOINT MEMORIAL 6

To His Excellency, the Honorable President of the United States, to the Honorable Stephen Ailes, Secretary of the Army, and to the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:

We, your memorialists, the 53d Legislative Assembly of the State of Oregon, in legislative session assembled, most respectively represent as follows:

Whereas there has been designated by the Corps of Army Engineers a damsite on the upper Grande Ronde River in Union County, Oreg., known as Spring Creek damsite; and

Whereas there has been designated by the Corps of Army Engineers a damsite on upper Catherine Creek in eastern Union County, Oreg., known as Catherine Creek damsite; and

Whereas these damsites designated as such are a part of the multipurpose water development program of the Columbia River Basin; and

Whereas, if the Spring Creek damsite and the Catherine Creek damsite are developed to their full potential by the construction thereon of dams, substantial benefits in the form of flood control, farmland irrigation, and recreational development would be realized in Baker, Union, Wallowa, Grant, and Umatilla Counties in northeastern Oregon: Now, therefore, be it

Resolved by the Legislative Assembly of the State of Oregon:

1. The Honorable Stephen Ailes, Secretary of the Army, is memorialized to take all steps possible to insure that projected multipurpose dams be constructed as soon as possible on the Spring Creek damsite on the upper Grande Ronde River in Union County, Oreg., and on the Catherine Creek damsite in Union County, Oreg.

2. A copy of this memorial shall be transmitted to the President of the United States, the Secretary of the Army, and to each member of the Oregon congressional delegation.

Adopted by senate March 22, 1965.

CECIL L. EDWARDS,
Secretary of Senate.
HARRY J. BOIVIN,
President of Senate.

Adopted by house April 2, 1965.

F. F. MONTGOMERY,
Speaker of House.

TRUTH-IN-PACKAGING: CORRECT PACKAGING ABUSES

Mr. MACKAY. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, I am introducing today truth-in-packaging legislation to deal with various packaging practices which have grown up within our marketing industry.

Not so many years ago a shopper in a grocery store purchased commodities out of bulk supply. She asked for a pound

of cookies and the clerk behind the counter weighed out a pound of cookies. Almost all commodities were handled out of bulk. In short, the retailer purchased food in bulk from a manufacturer or processor and broke them down into units for the customer.

Today our modern supermarket offers an astounding array of prepackaged merchandise ranging from food items through hardware and drug items. Food is broken down into packaged units by the manufacturer or food processor.

Through these showplaces of American ingenuity and diversity the American housewife obtains the foodstuffs which make Americans the best fed people in the world.

In this world of prepackaged splendor, however, there has crept a disturbing amount of misleading and deceptive packaging practices and unfair trade practices:

Net weight and other important information is often printed in too small type.

Net weight and net contents information does not appear at the same place on all packages.

Packages are oversized even when considering the fact that the contents will settle during transit.

"Giant," "jumbo," "large economy size" often offer no savings over smaller containers of the same brand.

Pictures on packages grossly misrepresent the contents.

Claimed "servings per package" have no meaning to the consumer.

Fractions of ounces are used for no apparent reason other than to frustrate comparison shopping.

This bill seeks to deal not only with the packaging aspects which confront the shopper in the supermarket, but also the industry conditions which give rise to these practices. The bill seeks to—

First, provide the means for the American consumer to know what she is buying;

Second, extend the spirit and substance of the antitrust laws to the relatively new form of nonprice competition of packaging; and

Third, eliminate the unfair trade practices that have developed along with packaging gimmickry and deception.

My bill directs the Food and Drug Administration—for food, drugs, and cosmetics—and the Federal Trade Commission—for other consumer commodities—to promulgate regulations that will require packages to accurately and clearly give essential product information and fairly represent the contents.

The bill is similar to that introduced earlier this year by Senator PHILIP HART, of Michigan, and incorporates changes in the language to meet certain criticism of the packaging industry of earlier bills. The principal changes include:

First. Once a standardized volume is established for a given commodity, any shape container may be permitted.

Second. No rules would be allowed which could outlaw existing standardized containers such as the various standard can sizes.

Third. No weight or measures standards could be established for packages under 2 ounces.

The bill would deal with the so-called "kitchen and bathroom" items which make up the great majority of products sold in the modern supermarket. The average household spends almost one-third of its budget on these items and the current packaging practices are increasingly depriving the consumer of value in his purchases in this area.

Based on my own family's experience, the housewife makes every effort to spend this portion of the family budget with care. In some cases this is easy. She can tell the difference in price between different brands of vegetables in standard size cans. But she quickly is lost in a maze of fractions and higher mathematics when it comes to comparison shopping for other items.

A Wisconsin State legislator recently cited interesting facts in support of a truth-in-packaging bill he had introduced in the Wisconsin State Legislature. State Senator Martin J. Schreiber cited a typical problem faced by a housewife in purchasing soap powder. One actual case he cited was a choice between three sizes of the same brand of soap powder:

The "king size" package contained 5 pounds, 11 ounces, and cost $1.33.

The "giant size" package contained 3 pounds, 5½ ounces, and cost 79 cents.

The "regular size" contained 1 pound, 6 ounces, and cost 32 cents.

It is difficult to tell at a glance or even with a pencil and paper which is the best buy. However, the "king size" label and the "giant size" label suggest that they are a better buy.

Long division will show, however, that the best buy in this case was the "regular size" package. It cost 1.45 cents per ounce, while the "king" and "giant" sizes cost 1.46 cents per ounce and 1.48 cents per ounce, respectively.

Clearly the manufacturer who preprints the package in this fashion has no control over the prices charged by the retailer and the result is that these labels have no particular meaning for the consumer and can be misleading.

This also holds true for "cents off" deals preprinted on packages by the manufacturer. He cannot control the price charged by the retailer and the price charged may be the normal retail price.

I recently received a letter from a Wisconsin housewife, highlighting another packaging device. She wrote that she had purchased two 1-pound packages of potato flakes within a 5-month period. The price had increased from 69 cents to 79 cents and the claimed number of servings had risen from 20 to 25, but the less expensive first package contained the equivalent of 7 pounds of ordinary potatoes and the higher priced one only 6½ pounds.

This illustrates how irrelevant packaging information can be to the actual contents of the container. A provision of my bill would establish serving standards so that the term "25 servings" would have some meaning to the housewife planning meals and not just be used to suggest increased contents.

Other provisions of the bill would—

First, require the net weight or contents to be printed prominently on the front panel of all packages;

Second, prohibit the use of misleading pictures on packages;

Third, prohibit cents-off deals or "economy sized" designations by manufacturers which imply a control over retail prices they may not have;

Fourth, provide means for standardizing package weights and measures for specific types of commodities so the shopper can compare prices without dealing with fractions of ounces; and

Fifth, provide industry with an opportunity to participate in the formulation of these packaging regulations.

Hearings are being held this week in the Senate Commerce Committee on this very language. While it may be difficult to write language to assure that the regulations will not stifle normal growth in the industry, it is not impossible. Furthermore, the evidence shows that some regulation is needed.

This legislation has been before Congress for several years. It has been the subject of hearings and the growing congressional concern over these practices has been similarly of public record for some time. Yet the conditions persist, demonstrating that the industry is not capable of self-regulation in this respect.

The time has come for the packaging industry to assist Congress in writing legislation which will both eliminate the deceptive packaging practices while avoiding any stifling of the development of new products or growth in the industry.

ARMENIAN MASSACRES IN TURKEY IN 1915

Mr. MACKAY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLOOD. Mr. Speaker, April 24 of this year marked the 50th anniversary of an event of World War I almost forgotten, the outright extermination of the Armenian communities in the Ottoman Empire. At the beginning of that year there were close to 2 million Armenians in the sultan's sprawling domain, and about half of these were living in their historic homeland in eastern Asia Minor. By the end of that terrible year nearly all of them had been uprooted from their homes—only those residing in the sultan's capital city of Constantinople were spared through the tireless efforts of the United States Ambassador, Mr. Morgenthau and many hundreds of thousands had been massacred outright.

Most of those who were spared this cruel but quick form of death were doomed to suffer longer in the course of forced marches, but they also shared a similar fate under circumstances of brutality and cruelty unsurpassed in the history even of the blood-stained East. Barely one-tenth of the total number managed to survive this secretly planned and most carefully executed first case of genocide in all modern history. Thus the Armenian people, who throughout their long and turbulent history had

steadfastly clung to their ancestral homes, and who in the opinion of those who knew them had long been regarded as the most energetic, industrious and progressive element in the Ottoman Empire, were carried off as if by some affliction early in the First World War.

The causes for this tragedy are numerous, but the real cause was that the Armenians, always oppressed and robbed and violated by the unruly Kurds and unscrupulous government officials, had asked for reforms and improvements in their status. When these were not forthcoming, and the Turks proved unwilling to do anything for the Armenians, then the latter had appealed to European governments for their good offices. These governments, being aware of the prevailing misgovernment in the Armenian provinces of Turkey, had urged the Turkish Government to introduce some reforms for the betterment of the lot of the Armenian people. The Turks had agreed to do this, but they never forgave the Armenians for seeking outside intervention. They felt that one way to avoid foreign intervention was to eliminate the Armenian element in the country. The First World War offered them the golden opportunity to do this. And they proceeded in this hideous task in a most ruthless manner, their sole purpose being the extermination of all Armenians regardless of age and sex. Unfortunately they nearly succeeded in this total genocide, and today there remain barely 50,000 Armenians in a country where there were nearly 2 million before 1915.

On April 24 of this year, on the 50th anniversary of the Armenian massacres in Turkey, all Armenian communities throughout the world and their friends everywhere observed that black anniversary and prayed in memory of more than 1 million Armenian victims of this unprecedented campaign of genocide.

AGAINST HOUSE UN-AMERICAN ACTIVITIES COMMITTEE APPROPRIATION

Mr. MACKAY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. OTTINGER. Mr. Speaker, the House has voted an additional $50,000 to the Committee on Un-American Activities to permit it to undertake an investigation of the Ku Klux Klan. In my view, this bodes ill for the cause of civil rights.

In the first place, this represents a further extension of nonlegislative investigations by the committee. I believe these investigations to be unconstitutional and in derogation of our basic freedoms. A congressional committee has no business investigating and organization or individuals solely for the sake of exposure, no matter how undesirable the organization may be. The only proper function for a congressional committee is to consider legislation and conduct such investigations as are necessary to determine the need and nature of such legislation.

There is an apparent need for more effective criminal laws to deal with violence against civil rights workers and Negroes who are asserting their rights in the South. Much of this violence seems to be perpetrated by members of the Ku Klux Klan. Investigation of the need and nature of new laws should be performed by the Judiciary Committee, which has been responsible for all previous civil rights legislation.

An even greater danger to the cause of civil rights arises, however. Virtually every civil rights leader has been cited frequently in the House Un-American Activities Committee files and publications which have been used by committee members and foes of civil rights as evidence of Communist infiltration in the civil rights movement. For example, during the 1963 civil rights bill debate, the gentleman from Arkansas [Mr. GATHINGS] read into the CONGRESSIONAL RECORD 30 pages of quotes from Un-American Activities Committee files infering that 59 persons prominent in the NAACP were Communist affiliates or sympathizers. Included were the Reverend Martin Luther King, Jr., Dr. Ralph Bunche, Roy Wilkins, A. Philip Randolph, Jr., Thurgood Marshall, and Robert Weaver.

From this, the gentleman from Arkansas concluded that the NAACP was "subversive." There have been similar instances.

There is a real danger that the committee investigation of the Ku Klux Klan will be only a thinly disguised excuse for a later investigation of supposed Communist infiltration into the civil rights organizations. Indeed, several southern colleagues who spoke in favor of the committee appropriation indicated that the civil rights organizations should be investigated for Communist influence.

Mr. Speaker, I hope my prophecy does not prove true, but I forsee the day when every Congressman interested in promoting constitutional rights in this country will deeply regret this latest House Un-American Activities Committee appropriation. This committee, with five of its nine members from the Deep South, is more likely than not to give the Ku Klux Klan a "once over lightly," and then turn with a vengeance on the civil rights groups.

It is noteworthy that virtually every civil rights leader in the House and every Negro Representative present voted against this appropriation, including the gentleman from New York [Mr. POWELL] and the gentlemen from Michigan [Mr. DIGGS and Mr. CONYERS]. These distinguished civil rights leaders certainly would not have opposed a genuine and effective inquiry into more effective legislation to combat violence by the Ku Klux Klan.

Finally, to give the Committee on Un-American Activities more money to extend still further its jurisdiction is indeed a travesty. The committee already has the distinction of being the fourth ranking in terms of appropriations of any committee in the House. It certainly has more money for less accomplishment than any committee.

In my opinion, this latest appropriation will haunt the House for many years to come and the investigations initiated pursuant to it will bring no credit to this noble body.

MILWAUKEE: BIG LEAGUE CITY

The SPEAKER pro tempore (Mr. RONCALIO). Under previous order of the House the gentleman from Wisconsin [Mr. REUSS] is recognized for 10 minutes.

Mr. REUSS. Mr. Speaker, the major league season opened in Milwaukee on April 15. The day was cool and cloudy.

Fans who like to root for the home team could not forget that next year "their" Braves would be playing for Atlanta, not Milwaukee.

Circumstances were hardly favorable for a large attendance.

Yet 33,874 Wisconsin baseball fans turned out, demonstrating once again that Milwaukee is a big league city that loves big league baseball.

The excellent attendance on opening day added still another entry to the long record of outstanding support Milwaukee has given to the Braves.

The opening day crowd this year should remind baseball's fans and owners of the many other crowds that packed Milwaukee County stadium to build a 12-year average annual attendance of 1,583,027—a figure surpassed by only one other National League club.

Milwaukee has proved itself a big league town; there can be no point in any further "tests" of the thoroughly demonstrated enthusiasm of Milwaukeeans for major league baseball.

Mr. Speaker, the leaders of major league baseball have often appeared before committees of Congress and pledged to operate "responsibly" and "in the public interest."

Yet the oligopolists of baseball have decreed that Milwaukee, a proven major league city with a proven ability and willingness to support amply a major league team, is to be left without major league baseball after the 1965 season.

Unless something is done, Milwaukee will become the first, but—and I hope my colleagues from Cleveland, Kansas City, and Cincinnati in particular will note this—not the last major league city in the 20th century to lose big league baseball entirely.

Baseball's moguls cannot justify their abandonment of the loyal fans and supporters in Milwaukee as meeting their often-stated promise to operate responsibly.

The opening game attendance April 15 spotlights to burden on the club owners to remedy that irresponsible action which they approved last year.

Fortunately, there is a responsible and public-spirited course of action they can take if they will.

Let them proceed forthwith to expand baseball by four new franchises for the 1966 season and to create from the new and existing teams three more geographically compact leagues.

Let them also agree upon greater sharing of television revenues to equalize competition and to wipe out an incentive for clubs to engage in profit-seeking city hopping.

Baseball has promised to operate in the public interest. Let it now fulfill that pledge.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MATHIAS (at the request of Mr. GERALD R. FORD), through May 15, 1965, on account of illness.

Mr. ST. ONGE (at the request of Mr. MCGRATH) for the balance of the week, on account of illness in family.

Mr. RODINO (at the request of Mr. MCGRATH), for May 3 and 4, 1965, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FULTON of Tennessee (at the request of Mr. ALBERT), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. SAYLOR, for 60 minutes, on Tuesday, April 27, 1965; and to revise and extend his remarks.

Mr. PHILBIN, for 60 minutes, today; to revise and extend his remarks and to include extraneous matter.

(The following Members at the request of Mr. MACKAY, to revise and extend their remarks and to include extraneous matter:)

Mr. BINGHAM, for 45 minutes, on Wednesday, April 28.

Mr. HUNGATE, for 30 minutes, on Wednesday, May 12.

Mr. REUSS, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. PUCINSKI.

Mr. ANNUNZIO.

(The following Members (at the request of Mr. MACKAY) and to include extraneous matter:)

Mrs. KELLY.

Mr. ROOSEVELT.

Mr. THOMPSON of New Jersey

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 327. An act to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters; to the Committee on Public Works.

ADJOURNMENT

Mr. MACKAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 48 minutes p.m.) the House adjourned until tomorrow, Tuesday, April 27, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

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

981. A communication from the President of the United States, transmitting amendments to the request for appropriations made in the budget for fiscal year 1966 for the Department of Agriculture and proposed provisions for the Department of Agriculture and the Department of the Interior (H. Doc. No. 154); to the Committee on Appropriations and ordered to be printed.

982. A letter from the Assistant Secretary of the Interior, transmitting a report on the Touchet division, Walla Walla project, Oregon-Washington, pursuant to section 9(a) of the Reclamation Act of 1939 (53 Stat. 1187) (H. Doc. No. 155); to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations.

983. A letter from the Secretary of the Air Force, transmitting a report on the number of officers assigned or detailed to permanent duty in the executive part of the Department at the end of the third quarter of fiscal year 1965, pursuant to section 8031(c), title 10, United States Code; to the Committee on Armed Services.

984. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report listing Army, Navy, and Air Force contracts negotiated under authority of sections 2304(a)(11) and 2304(a)(16) of title 10, United States Code, during the 6-month period ended December 31, 1964, pursuant to 10 U.S.C. 2304(e); to the Committee on Armed Services.

985. A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, United States Code, with respect to the Reserve Officers' Training Corps; to the Committee on Armed Services.

986. A letter from the Secretary of Health, Education, and Welfare, transmitting the annual report of the Department for fiscal year 1964; to the Committee on Education and Labor.

987. A letter from the Secretary of State, transmitting a proposed draft amendment to the United Nations Participation Act of 1945, as amended; to the Committee on Foreign Affairs.

988. A letter from the Comptroller General of the United States, transmitting a report of unnecessary costs resulting from the entry into the military supply system of items identical or similar to items previously eliminated or to standard items that were retained, Department of Defense; to the Committee on Government Operations.

989. A letter from the Comptroller General of the United States, transmitting a report of unnecessary costs incurred in the production of T208 telescope mounts as a result of an inaccurate and incomplete technical data package, Department of the Army; to the Committee on Government Operations.

990. A letter from the Comptroller General of the United States, transmitting a report of unnecessary retention of high-value land, Fort Gordon, Ga., Department of the Army; to the Committee on Government Operations.

991. A letter from the Comptroller General of the United States, transmitting a report of lack of proper inspection and effective maintenance practices for communication and electronic equipment in certain strategic Army Corps units at Fort Hood, Tex., Department of the Army; to the Committee on Government Operations.

992. A letter from the Comptroller General of the United States, transmitting a report of procurements of spare parts and assemblies in excess of current needs by the U.S. Marine Corps, Department of the Navy; to the Committee on Government Operations.

993. A letter from the Comptroller General of the United States, transmitting a report of unnecessary procurement of office furniture, Department of Labor; to the Committee on Government Operations.

994. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to two cases involving the Colorado River Indian Tribes, namely Dockets Nos. 185 and 283–A, with copies of the papers relating thereto, pursuant to section 21 of 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

995. A letter from the Attorney General, transmitting a draft of proposed legislation to permit the compelling of testimony with respect to certain crimes, and the granting of immunity in connection therewith; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CURTIS:

H.R. 7585. A bill to amend the Internal Revenue Code of 1954, as amended, with respect to the taxation of banks, savings and loan associations, and other institutions; to the Committee on Ways and Means.

By Mr. ANDREWS of North Dakota:

H.R. 7586. A bill to amend the Civil Service Retirement Act to provide for the inclusion in the computation of accredited services of certain periods of service rendered States or instrumentalities of States, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BYRNES of Wisconsin:

H.R. 7587. A bill to amend the Internal Revenue Code of 1954 with respect to certain distributions of money by corporations which have been electing small business corporations; to the Committee on Ways and Means.

H.R. 7588. A bill to amend the Internal Revenue Code of 1954 to remove certain limitations on the amount of deduction for contributions to pension and profit-sharing plans made on the behalf of self-employed individuals; to the Committee on Ways and Means.

By Mr. CHELF:

H.R. 7589. A bill to amend the Interstate Commerce Act, as amended, in order to make unlawful, as unreasonable and unjust discrimination against an undue burden upon interstate commerce, certain property tax assessments of common carrier property, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAY:

H.R. 7590. A bill to incorporate the Sixth United States Infantry Association; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 7591. A bill to amend the Bank Merger Act so as to provide that bank mergers, whether accomplished by the acquisition of stock or assets or in any other way, are subject exclusively to the provisions of the Bank Merger Act, and for other purposes; to the Committee on Banking and Currency.

H.R. 7592. A bill to amend section 1498 of title 28, United States Code, to authorize the use or manufacture, in certain cases, by or for the United States of any invention described in and covered by a patent of the United States; to the Committee on the Judiciary.

H.R. 7593. A bill to repeal the excise tax on amounts paid for communication service or facilities; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 7594. A bill to establish a Federal Commission on Alcoholism, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RIVERS of South Carolina:

H.R. 7595. A bill to amend title 10, United States Code, to authorize transportation at Government expense for dependents, accompanying members of the uniformed services at their posts of duty outside the United States, who require medical care not locally available; to the Committee on Armed Services.

H.R. 7596. A bill to amend title 10, United States Code, to remove inequities in the active duty promotion opportunity of certain Air Force officers; to the Committee on Armed Services.

By Mr. SAYLOR (by request):

H.R. 7597. A bill to establish the veterans reopened insurance fund in the Treasury and to authorize initial capital to operate insurance programs under 38 U.S.C. 725; to the Committee on Veterans' Affairs.

By Mr. SIKES:

H.R. 7598. A bill to provide an appropriation for a preliminary examination and survey for improvement of Lynn Haven Bayou and Canal, Fla.; to the Committee on Appropriations.

By Mr. ULLMAN:

H.R. 7599. A bill to amend the Agricultural Marketing Agreement Act of 1937 to permit marketing orders applicable to pears to provide for paid advertising; to the Committee on Agriculture.

By Mr. KASTENMEIER:

H.R. 7600. A bill to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H.R. 7601. A bill to provide for the retirement of $30 billion of interest-bearing obligations of the United States held by the 12 Federal Reserve banks; to the Committee on Banking and Currency.

By Mr. WATTS:

H.R. 7602. A bill to amend section 1263 of title 18 of the United States Code to require that interstate shipments of intoxicating liquors be accompanied by bill of lading, or other document, showing certain information in lieu of requiring such to be marked on the package; to the Committee on the Judiciary.

H.R. 7603. A bill relating to the reserve for bad debts for income tax purposes in the case of banks; to the Committee on Ways and Means.

By Mr. McDADE:

H. Res. 346. Resolution establishing a Committee on the Captive Nations; to the Committee on Rules.

By Mr. THOMAS:

H. Res. 347. Resolution expressing the disapproval of the House of Representatives of Reorganization Plan No. 1 of 1965; to the Committee on Government Operations.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

214. By the SPEAKER: Memorial of the Legislature of the State of Alaska, relative to endorsing S. 1091, a bill relating to the exploration and development of the Continental Shelf; to the Committee on Merchant Marine and Fisheries.

215. Also, Memorial of the Legislature of the State of California, relative to a study being made of the flood prevention control aspects of the Eel River and its tributaries; to the Committee on Public Works.

216. Also, Memorial of the Legislature of the State of California, relating to the construction of dams on the Eel River; to the Committee on Public Works.

217. Also, Memorial of the Legislature of the State of Florida, relative to a request for designation of a highway from Tampa, Fla., to Miami, Fla., as a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

218. Also, Memorial of the Legislature of the State of Hawaii, relative to requesting the continuation of present levels of Federal support for soil and water conservation districts; to the Committee on Agriculture.

219. Also, Memorial of the Legislature of the State of Hawaii, relative to the Congress amending all Federal laws granting subsidies to any industry or agricultural pursuit, to require compliance with the Fair Labor Standards Act of 1938, as amended; to the Committee on Agriculture.

220. Also, Memorial of the Legislature of the State of Maine, relative to requesting Congress to promote the protection of our gold reserves; to the Committee on Ways and Means.

221. Also, Memorial of the Legislature of the State of Nebraska, relative to the Missouri River States Committee reaffirming and urging early and favorable action by the Congress so that construction may be started assuring the beginning of another phase of the uses of the waters of the Missouri River Basin; to the Committee on Interior and Insular Affairs.

222. Also, Memorial of the Legislature of the State of Washington, relative to endorsing the orderly development program for the Columbia Basin Commission; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADAMS (by request):

H.R. 7604. A bill for the relief of Bartul Ivcevic; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 7605. A bill for the relief of Weenicezie Joan Sharma; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 7606. A bill for the relief of Pyung Ok Kim; to the Committee on the Judiciary.

H.R. 7607. A bill for the relief of Mrs. Flora El Tawil; to the Committee on the Judiciary.

By Mr. JARMAN:

H.R. 7608. A bill to provide for the free entry of one automatic steady state distribution machine for the use of the University of Oklahoma, Norman, Okla.; to the Committee on Ways and Means.

By Mr. KASTENMEIER:

H.R. 7609. A bill for the relief of Mrs. Sook Ihn Saw; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 7610. A bill for the relief of Siu Chun Tsu Chao; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 7611. A bill for the relief of Muriel C. Greaves; to the Committee on the Judiciary.

H.R. 7612. A bill for the relief of Kaestner George Phillips and his wife Miriam Olive Phillips; to the Committee on the Judiciary.

H.R. 7613. A bill for the relief of Salvatore Prestigiacomo; to the Committee on the Judiciary.

H.R. 7614. A bill for the relief of Lorna Gloria Reid; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 7615. A bill for the incorporation of the Merchant Marine War Veterans Association; to the Committee on the District of Columbia.

By Mr. RODINO:

H.R. 7616. A bill for the relief of Benito Caldas and Carmen Caldas; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

181. By the SPEAKER: Petition of Board of Commissioners of Martin County, Stuart, Fla., relative to requesting continuation of the policy of providing technical assistance to soil and water conservation districts without new costs to landowners and operators; to the Committee on Agriculture.

182. Also, petition of National Bicycle Dealers Association, Inc., Wickliffe, Ohio, urging Congress to enact legislation for bicycle paths as an integral part of our highway system; to the Committee on Public Works.

183. Also, petition of Association of Highway Officials of North Atlantic States, Trenton, N.J., relative to resolution petitioning Congress to direct the Secretary of Commerce to develop highway needs of the Nation, and recommending an additional Federal-aid highway program expanding the Interstate System; to the Committee on Public Works.

184. Also, petition of Federation of Homemakers, Arlington, Va., requesting the House of Representatives to create a new standing committee to be known as the Committee on Health and Safety, to consider legislation in these specific fields; to the Committee on Rules.

185. Also, petition of Veterans of Foreign Wars of the United States, Washington, D.C., relative to urging continued efforts to oppose curtailment of veterans' benefits; to the Committee on Veterans' Affairs.

186. Also, petition of Local No. 534, Boston Cement Masons & Asphalt Layers Union, Boston, Mass., requesting Congress to allow the automatic rate reduction on temporary Korean excise taxes; to the Committee on Ways and Means.

187. Also, petition of Southern Interstate Nuclear Board, Atlanta, Ga., relative to extending the provisions of the Price-Anderson indemnity legislation for an additional period of 10 years; to the Joint Committee on Atomic Energy.

SENATE

MONDAY, APRIL 26, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Father of all mankind, we come conscious that our best contrivings and our wisest plans will stand but as mute monuments of futility in a valley of dry bones unless upon them all Thou shalt breathe the breath of life.

If at last, chastened by Thy immutable laws, a shattered world is to leave behind mutual slaughter, exploitation, suspicion, and hatred, and is to march together, no matter how long and steep the climbing way, toward a fairer earth in which nation shall not lift up sword against nation, neither shall learn war any more, only Thy pillar of cloud and of fire can lead to that golden era.

Anxious about our national welfare, as with all nations we stand in the valley

of decision, knowing that of those to whom much has been given, much shall be required, we lift our fervent prayer:

Send out Thy light and Thy truth; let them bring us to Thy holy hill of an abundant life and a just peace.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, April 23, 1965, was dispensed with.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of January 12, 1965,

Mr. PASTORE, from the Committee on Appropriations, reported favorably, with amendments, on April 23, 1965, the bill (H.R. 7091) making supplemental appropriations for the fiscal year ending June 30, 1965, and for other purposes, and submitted a report (No. 167) thereon, which was printed.

NOTICES OF MOTIONS TO SUSPEND THE RULE SUBMITTED DURING ADJOURNMENT — AMENDMENTS TO SECOND SUPPLEMENTAL APPROPRIATION BILL, 1965

Under authority of the order of January 12, 1965,

Mr. PASTORE, on April 23, 1965, submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 7091) making supplemental appropriations for the fiscal year ending June 30, 1965, and for other purposes, the following amendment, namely:

On page 9, line 4, insert the following:

"VETERANS' REOPENED INSURANCE FUND

"All premiums and collections on insurance issued pursuant to section 725 of title 38, United States Code, shall be credited to the 'Veterans' reopened insurance fund.' established pursuant to that section, and all payments on such insurance and on any total disability provision attached thereto shall be made from that fund, notwithstanding any provisions of that section: *Provided,* That for actuarial and accounting purposes, the assets and liabilities (including liability for repayment of advances hereinafter authorized, and adjustment of premiums) attributable to each insured group established under said section 725, shall be separately determined: *Provided further,* That such amounts of the 'veterans' special term insurance fund' as may hereafter be determined by the Administrator of Veterans' Affairs to be in excess of the actuarial liabilities of that fund, including contingency reserves, shall be available for transfer to the 'Veterans' reopened insurance fund' as needed to provide initial capital: *Provided further,* That any amounts so transferred shall be repaid to the Treasury, and shall bear interest payable to the Treasury at rates established in accordance with section 725(d)(1) of title 38, United States Code."

Mr. PASTORE also submitted an amendment, intended to be proposed by him, to House bill 7091, making supplemental appropriations for the fiscal year ending June 30, 1965, and for other purposes, which was printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. PASTORE also, on April 23, 1965, submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 7091) making supplemental appropriations for the fiscal year ending June 30, 1965, and for other purposes, the following amendment, namely:

On page 4, line 16, insert the following:

"PEACE CORPS

"During the current fiscal year an additional amount of $1,858,000 shall be available within the appropriation for 'Peace Corps' for administrative and program support costs."

Mr. PASTORE also submitted an amendment, intended to be proposed by him, to House bill 7091, making supplemental appropriations for the fiscal year ending June 30, 1965, and for other purposes, which was printed.

(For text of amendment referred to, see the foregoing notice.)

ORDER DISPENSING WITH CALL OF LEGISLATIVE CALENDAR UNDER RULE VIII

On request by Mr. MANSFIELD, and by unanimous consent, the call of the Legislative Calendar under rule VIII was dispensed with.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Public Works was authorized to meet during the session of the Senate today.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF TITLE 10, UNITED STATES CODE, WITH RESPECT TO THE RESERVE OFFICERS' TRAINING CORPS

A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, United States Code, with respect to the Reserve Officers' Training Corps (with an accompanying paper); to the Committee on Armed Services.

AMENDMENT OF PEACE CORPS ACT

A letter from the Secretary of State, transmitting a draft of proposed legislation to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes (with accompanying papers); to the Committee on Foreign Relations.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs incurred in the production of T208 telescope mounts as a result of an inaccurate and incomplete technical data package, Department of the Army, dated April 1965 (with an accompanying report); to the Committee on Government Operations.

REPORT ON TOUCHET DIVISION, WALLA WALLA PROJECT, WASHINGTON

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, his report on the Touchet Division, Walla Walla project, Washington, dated January 1964 (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORT ON FINAL SETTLEMENT OF CLAIMS OF CERTAIN INDIANS

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, on the final settlement of the claims of certain Indians against the United States of America (with accompanying papers); to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of California; to the Committee on Public Works:

"SENATE JOINT RESOLUTION 4

"Joint resolution relative to construction of dams on the Eel River

"Whereas, the recent December 1964 and January 1965 floods and storms in the northern part of California have resulted in serious and widespread damage and destruction to private and public property; and

"Whereas a large portion of the damage and destruction might have been avoided or mitigated had there been dams for flood control purposes on the upper Eel River: Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California (jointly),* That the Legislature of the State of California respectfully memorializes the Congress of the United States, the U.S. Army Corps of Engineers, and the Bureau of Reclamation to give high priority to the planning and construction of dams on the upper Eel River for flood control purposes; and be it further

"*Resolved,* That the secretary of the senate be hereby directed to transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Chief of the U.S. Army Corps of Engineers, and to the U.S. Commissioner of Reclamation."

A resolution of the Senate of the State of California; to the Committee on Interior and Insular Affairs:

"SENATE RESOLUTION 126

"Resolution relative to flood control and water conservation projects

"Whereas the great storms of December 1964 caused widespread flooding along the Sacramento River and its tributaries; and

"Whereas this flooding caused extensive damage along the Sacramento River and its tributaries in Tehama and Shasta Counties; and

"Whereas the construction of dams and reservoirs on Thomas, Deer, Cottonwood, Mills, and Cow Creeks, and in Antelope Basin would have prevented much of this damage; and

"Whereas the Department of Water Resources of the State of California has made studies which indicate that these projects are economically justifiable; and

"Whereas in addition to flood control these projects would provide water for local irrigation, recreation, and fish and wildlife beneficial uses; and

"Whereas these projects would additionally yield approximately 200,000 acre-feet of water for export at an early date and at a low cost; and

"Whereas these projects could be integrated with the Federal Central Valley project: Now, therefore, be it

"Resolved by the Senate of the State of California, That the Congress of the United States, the U.S. Army Corps of Engineers, and the Bureau of Reclamation are respectfully memorialized to give high priority to the planning and construction of dams in the upper Sacramento River Basin for flood control, irrigation, recreation, and fish and wildlife enhancement purposes; and be it further

"Resolved, That the Congress of the United States is respectfully memorialized to appropriate funds to the Bureau of Reclamation for conducting such studies during the next fiscal year; and be it further

"Resolved, That the secretary of the senate is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Chief of the U.S. Army Corps of Engineers, and to the U.S. Commissioner of Reclamation.

"Above Senate Resolution 126, read and adopted on April 15, 1965.

"J. A. BEEK,
"Secretary of the Senate."

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on Agriculture and Forestry:

"HOUSE CONCURRENT RESOLUTION 20

"Whereas labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency, and general well-being of workers still exist in the United States and its possessions; and

"Whereas inferior labor conditions, including low wages, constitute an unfair method of competition and interfere with the orderly and fair marketing of goods; and

"Whereas the sugar industry in the State of Hawaii pays the highest wages in domestic sugar production in the United States and its possessions and provides sugar workers a standard of living comparable to workers covered under the Fair Labor Standards Act of 1938, as amended; and

"Whereas the sugar industry in the State of Hawaii must compete with producers and processors of sugar in other areas whose employees labor for wages as low as 65 cents per hour and whose conditions of employment otherwise are, under American standards, substandard; and

"Whereas fairness and justice demand that all workers in the United States and its possessions, whether industrial or agricultural, be entitled to enjoy a standard of living compatible with the American way of life; and

"Whereas fairness and justice to the people and sugar industry of Hawaii require that a minimum wage be set for sugar workers all over the United States so that competition among the different sugar producing areas shall be on fair and equitable terms: Now, therefore, be it

"Resolved by the House of Representatives of the Third Legislature, State of Hawaii, regular session of 1965 (the Senate concurring), That the Congress of the United States be and it is hereby respectfully requested to amend all Federal laws granting subsidies to any industry or agricultural pursuit, in which individuals are gainfully employed, to require compliance with the Fair Labor Standards Act of 1938, as amended, and as may be further amended from time to time, as a condition of the payment of any such subsidy; *Provided, however,* That the Administrator of the Wage and Hour Division shall be authorized to determine temporary exclusions from the Fair Labor Standards Act of 1938, as amended; and be it further

"Resolved, That the Congress of the United States be and it is hereby respectfully requested to amend the Sugar Act of 1948, as amended, to provide:

"1. That payment to all persons employed on a sugar farm of wages not less than the minimum wage as set by the Fair Labor Standards Act of 1938, as amended, and as may further be amended from time to time, shall be a condition of payment to the producer; *Provided however,* That the Secretary of Agriculture shall be authorized to hold hearings to determine temporary exclusions and amounts of payments to be authorized for producers so excluded temporarily.

"2. That there shall be no reduction in the base rate of payments of 80 cents per 100 pounds of sugar for any sugar farm which pays to all persons employed thereon wages at rates not less than the minimum wage established by the Fair Labor Standards Act of 1938, as amended, and as may be further amended from time to time, irrespective of production; be it further

"Resolved, That duly authenticated copies of this concurrent resolution be forwarded to the President of the Senate and the Speaker of the House of Representatives, to the Secretary of Labor, to the Secretary of Agriculture, and to the Hawaii delegation to the Congress of the United States."

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on Appropriations:

"HOUSE CONCURRENT RESOLUTION 26

"Whereas soil and water conservation districts in the State of Hawaii play an integral role in the protection and effective utilization of the natural resources of the State, and especially the development of productive small farms and flood control projects; and

"Whereas the Budget Bureau of the U.S. Government has proposed that Federal funds for soil and water conservation districts be reduced, and that farmers be required to contribute up to 50 percent of the costs of soil conservation district services now provided by the Federal Government; and

"Whereas the proposal that farmers make substantial contributions to the costs of the program will adversely affect conservation work in the State, and the burden on small farmers or persons now beginning to develop agricultural land will prevent their participation in soil and water conservation districts: Now, therefore, be it

"Resolved by the House of Representatives of the Third Legislature of the State of Hawaii, regular session of 1965 (the Senate concurring), That the Congress of the United States be and hereby is memorialized to continue present levels of Federal support for soil and water conservation districts; and be it further

"Resolved, That certified copies of this concurrent resolution be forwarded to the Honorable HUBERT H. HUMPHREY, President of the U.S. Senate; the Honorable JOHN W. MCCORMACK, Speaker of the U.S. House of Representatives; and to the members of Hawaii's congressional delegation."

A concurrent resolution of the Legislature of the State of North Dakota; to the Committee on the Judiciary:

"HOUSE CONCURRENT RESOLUTION E2

"Concurrent resolution urging the Congress of the United States to propose an amendment to the Constitution of the United States relating to apportionment

"Whereas the Supreme Court of the United States has ruled that membership in both houses of a bicameral State legislature must be apportioned according to population and has thus asserted Federal judicial authority over the basic structure of government in the various States; and

"Whereas this rule denies to the people of the respective States the rights to establish their legislatures upon a pattern of representation deemed suitable to the needs of each State or similar to the pattern deemed advantageous for the Congress of the United States and provided by the Federal Constitution; and

"Whereas this action of the Supreme Court goes so far as to restrict the ability of the citizens of the respective States to designate the manner in which they shall be represented in their respective legislatures, thereby depriving the people of their right to determine how they shall be governed; and

"Whereas the implications of this action by the U.S. Supreme Court raise serious doubts as to the legality of the present form of governing bodies of many subordinate units of government within the States: Now, therefore, be it

"Resolved by the House of Representatives of the State of North Dakota, the Senate concurring therein, That this legislature respectfully applies to the Congress of the United States to propose and submit to the States an amendment to the Constitution of the United States substantially as follows:

" 'ARTICLE —

" 'SECTION. 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

" 'SEC. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership or governing bodies of its subordinate units shall be apportioned.

" 'SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress'; be it further

"Resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State.

"ARTHUR A. LINK,
"Speaker of the House.
"DONNELL HAUGEN,
"Chief Clerk of the House.
"CHARLES TIGHE,
"President of the Senate.
"GERALD F. STAIR,
"Secretary of the Senate."

A resolution adopted by the Missouri River States Committee, in Omaha, Nebr., on April 15, 1965, endorsing the construction of the Garrison diversion unit in North Dakota; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Lions Club, of Rincon, P.R., relating to civil rights; ordered to lie on the table.

By Mrs. SMITH (for herself and Mr. MUSKIE):

A joint resolution of the Legislature of the State of Maine; to the Committee on Banking and Currency:

"JOINT RESOLUTION—

"Joint resolution memorializing Congress to promote the protection of our gold reserves

"We your memorialists, the House of Representatives and Senate of the State of Maine in the 102d legislative session assembled, most respectfully present and petition your honorable body as follows:

" 'Whereas it is recognized that certain foreign countries are creating a demand upon the U.S. gold reserves by demanding payment of gold in lieu of dollars; and

" 'Whereas such a process places our gold reserves and supply in jeopardy by removing substantial amounts of gold from backing our currency; and

" 'Whereas certain foreign countries are obligated to the United States for substantial amounts from World War I and II loans along with the Export-Import Bank loan; and

" 'Whereas other countries of the world are indebted for substantial amounts from legitimate loans: Now, therefore, be it

" '*Resolved*, That we, the memorialists, recommend and urge to the Congress of the United States legislative action authorizing the executive branch of our Federal Government to deduct these debts from the country demanding gold payment whenever that country demands payment in gold in lieu of the dollar. The accomplishment of this action is vital and essential to the monetary system of our country and of the world; and be it further

" '*Resolved*, That a duly authenticated copy of this memorial be immediately submitted by the secretary of state to the Senate and House of Representatives in Congress and to the Members of the said Senate and House of Representatives from this State.'

"In senate chamber, read and adopted; sent down for concurrence, April 14, 1965.

"EDWIN H. PERT,
"Secretary.

"House of representatives, read and adopted; in concurrence, April 15, 1965.

"JEROME G. PLANTE,
"Clerk."

A joint resolution of the Legislature of the State of Maine; to the Committee on Public Works:

"JOINT RESOLUTION A—

"Joint resolution memorializing Congress to extend the northern terminus of the Interstate and Defense Highway System in Maine from Houlton to Fort Kent

"We, your memorialists, the Senate and House of Representatives of the State of Maine in the 102d legislative session assembled, most respectfully present and petition your honorable body as follows:

" 'Whereas it has been recognized that the Nation's economy and the Nation's security require the construction of a National System of Interstate and Defense Highways; and

" 'Whereas the primary responsibility for construction of such a system rests in the Federal Government; and

" 'Whereas the objective is to complete the presently designated national system by 1972; and

" 'Whereas the people of Maine through appropriate action have deemed it essential that the highways of this State be integrated into the interstate and defense system; and

" 'Whereas the coinciding completion dates of U.S. Interstate 95 to the border east of Houlton and the entire Trans Canada Highway system will result in a great amount of potential traffic bypassing central and northern Aroostock County; and

" 'Whereas a high-standard, key-artery highway through Aroostook County will better serve present industry, attract new industry and provide tourists and travelers with access to the many recreational possibilities of central and northern Aroostock County; and

" 'Whereas the Department of Defense of the U.S. Government has extensive defense installations in northern Aroostook County, namely Loring Air Force Base located in Limestone, Maine, and supplemental installations to this base also located in the general area of northern Aroostook County, in the State of Maine: Now, therefore, be it

" '*Resolved*, That we your memorialists, recommend and urge to the Congress of the United States, in order to more adequately serve the more heavily populated areas of central and northern Aroostook County and provide additional highway facilities for defense installations in northern Aroostook County, that appropriate action to require the Department of Commerce, through the Bureau of Public Roads, to relocate the northern terminus of the Interstate and Defense Highway System in Maine from Houlton to Fort Kent; and be it further

" '*Resolved*, That a copy of this memorial, duly authenticated by the secretary of state, be immediately transmitted by the secretary of state to the Senate and House of Representatives in Congress and to the Members of the said Senate and House of Representatives from this State.'

"In senate chamber, read and adopted; sent down for concurrence, April 7, 1965.

"EDWIN H. PERT,
"Secretary.

"House of representatives, read and adopted; in concurrence, April 9, 1965.

"JEROME G. PLANTE,
"Clerk."

RESOLUTIONS OF NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

Mr. THURMOND. Mr. President, I send to the desk 13 resolutions approved by the National Society of the Daughters of the American Revolution, in its 75th Annual Continental Congress, which was held in Washington last week.

I know of no more dedicated or patriotic organization in this country than the DAR, as is exemplified in these 13 resolutions. During the past 75 years, the DAR has been in the forefront of efforts in this country to promote educational, patriotic, and historical programs designed to foster a strong sense of dedication to our country to the great and immutable principles of government which have made our Nation the greatest the world has ever known.

I am pleased to present these resolutions to Congress, and I ask that they be appropriately referred and printed in the RECORD at the conclusion of these remarks.

There being no objection, the resolutions were referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

"AMERICAN VALUES—PAST AND PRESENT," THEME OF THE CONTINENTAL CONGRESS OF 1965: REDEDICATION

Whereas for 75 years the National Society of the Daughters of the American Revolution has developed spiritual strength and grown in membership dedicated to the goal of the preservation of the republican form of government under the Constitution of the United States which guarantees to every citizen opportunity, justice, and freedom; and

Whereas through the society's educational, patriotic, and historical programs, a deeper love of country and loyalty to its fundamental principles and appreciation of American citizenship have been inculcated upon the hearts of thousands of children and adults:

Resolved, That, in this diamond jubilee year, the members of the Daughters of the American Revolution rededicate themselves to hold fast to those traditions and principles which have made this Nation great and, with steadfastness of purpose and undying faith in a free America under God, forge new links in the chain of our national strength with each generation.

PRESIDENTIAL PRAYER BREAKFAST

Whereas a strong belief in the divine providence of God and reliance upon His power and will, invoked in prayer, inspired and sustained the founders in their effort to establish this "Nation under God"; and

Whereas the Presidential prayer breakfast held annually in Washington was inaugurated by leaders of the groups in the Senate and the House of Representatives of the Congress of the United States who meet weekly for prayer breakfasts:

Resolved, That the National Society, Daughters of the American Revolution, express to the President of the United States, Lyndon B. Johnson, as the leading participant in the annual Presidential prayer breakfast, to the leaders of the groups in the Senate and in the House of Representatives and to the Members of the Congress of the United States who meet weekly for prayer breakfasts, appreciation for this example of belief in the importance of spiritual values in the guidance of those upon whom rest the decisions for Government of this great "one Nation under God."

AMERICAN HISTORY—TEXTBOOKS—PATRIOTIC EDUCATION

Whereas education is one of the principal objectives of the National Society, Daughters of the American Revolution; and

Whereas it is the duty of every citizen to know the principles upon which this Nation was founded: freedom, equality, justice and humanity; a democracy in a republic; a government of the people, by the people and for the people; and

Whereas J. Edgar Hoover has said that the battlefield for the minds of men may well be staged in the classrooms of the Nation; and

Whereas it is the responsibility of the adult population to concern itself with the education of youth and to screen the textbooks and pamphlets from which these children are taught; and

Whereas the preparation and the attitude of the teacher are essential factors in the educational system:

Resolved, That the members of the National Society, Daughters of the American Revolution, show such interest in the textbooks, pamphlets, visual aids and other source material used in the classrooms as to be certain that there is, in the manner of presentation, a positive approach to stimulating a feeling of patriotism for our country;

Resolved, That the National Society, Daughters of the American Revolution, urge that the principles of the Founding Fathers and the political processes of our Government be reemphasized in all levels of education and be made a requisite in the preparation for the teaching profession.

LAW AND ORDER

Whereas during the past decade the United States has experienced an alarming increase in lawlessness of all kinds, especially crimes of violence against innocent and defenseless citizens; and

Whereas disrespect for authority and law enforcement is shown by the increase of assaults on police who, with rare exceptions, perform their duties courageously, effectively

and with disregard for their own safety; and

Whereas the maintenance of law and order is the most basic duty of government; and

Whereas this alarming prevalence of crime is undermining values which Americans hold dear and which our Constitution and the Government were designed to protect and preserve; and

Whereas this situation can be and will be rectified only when an aroused citizenry determines to take action necessary to bring about a restoration of law and order:

Resolved, That the National Society, Daughters of the American Revolution, call upon all loyal and patriotic Americans to extend support and gratitude to law enforcement officers in their efforts to maintain law and order, and pledge their unyielding efforts to restore domestic peace, that once again the people of the United States may enjoy the blessing of living in a society governed by just laws, enacted and interpreted in accordance with the Constitution, and which are impartially administered.

DISPLAY OF STATE FLAGS

Whereas the 10th amendment to the Constitution of the United States provides that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

Whereas the stars of the flag of the United States of America are symbols of the sovereignty of the 50 States; and

Whereas the State flags are a reminder of the status of individual States as separate, sovereign powers vested in the people; and

Whereas as stated by the Supreme Court, the preservation of the States and the maintenance of their governments are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the Federal Government:

Resolved, That the National Society, Daughters of the American Revolution, urge the members of the State societies to encourage State and local governments, as well as private individuals and organizations, to display State flags with the flag of the United States of America to symbolize, not only the sovereignty of the States, but also the vital role of each in the Union of the States within a Republic.

SUPPORT STRENGTHENING OF THE IMMIGRATION AND NATIONALITY ACT

Whereas the National Society, Daughters of the American Revolution, has consistently supported the Immigration and Nationality Act and the national origins quota principle and has conducted an effective program of aid to aliens seeking to become citizens, has published and distributed since 1921 more than 9 million free copies of a Manual for Citizenship, presented Americanism Medals to adult naturalized citizens who have demonstrated outstanding qualities of leadership, trustworthiness, service, and patriotism; and

Whereas there have been 10 major amendments of the Immigration and Nationality Act over a 12-year period and the public record shows that approximately 300,000 immigrants have been admitted annually during the past decade, with only one-third of those admitted coming in under established quotas and the remaining two-thirds entering either as nonquota immigrants or through emergency legislation which bypassed the Immigration and Nationality Act; and

Whereas new liberalizing proposals would again greatly increase numbers of immigrants to be assimilated into our culture, inevitably increase unemployment and place an additional burden on our costly public welfare programs; and

Whereas liberalizing proposals include the establishment of an Executive-appointed Immigration Board which would have delegated authority (properly the exclusive prerogative of Congress) which would override the present Joint Congressional Committee on Immigration and Nationality Policy as authorized under present law:

Resolved, That the National Society, Daughters of the American Revolution, continue to support a strengthened Immigration and Nationality Act and national origins quota principle with continued control of a selective immigration policy by Congress which will serve first our national self-interest as do the immigration laws of all other nations.

THE ELECTORAL COLLEGE

Whereas the Constitution of the United States of America provides for the election of the President and Vice President by a number of electors equal to the whole number of Senators and Representatives to which each State is entitled and directs that the electors shall make disinct lists of all persons voted for as President and Vice President, and the number of votes for each; and

Whereas since 1832, the majority of States has presented to the voters a predetermined bloc of electors, resulting in the present unit rule, which deprives the minority in every State of representation in the final electoral tally, actually adds the minority vote in each State, to the majority vote of that State, concentrates power in the larger States, and has resulted in gross inequities, depriving the people of their sovereign rights; and

Whereas it is already within the power of the several States to abolish the inherent inequities of unit rule by providing for the election of electors in each congressional district, with the two electors representing its U.S. Senators elected at large; and

Whereas any constitutional amendment which would abolish the electoral college while continuing the unit rule for the total electoral vote to which each State is entitled would perpetuate and write into the Constitution inequities never contemplated by its authors:

Resolved, That the National Society, Daughters of the American Revolution, support the electoral college as a vital check and balance in the Constitution of the United States of America, urge its membership to seek an end to unit rule for the electoral vote in each State and the substitution of voting for electors by districts, in conformity with the original practice under the Constitution.

DISARMAMENT

Whereas the preamble of the test ban treaty, ratified and signed by the United States of America, declares that the principal aim of the contracting parties is "the speediest possible achievement of an agreement on general and complete disarmament under strict international controls," which program could result only in world government with subsequent loss of sovereignty and the freedoms secured by the Constitution; and

Whereas, despite the war in Vietnam, and although there is no evidence that the communists have abandoned their goal of world dominion, this Nation recently authorized funds for the U.S. Arms Control and Disarmament Agency thereby persisting in its drive toward disarmament; and

Whereas the United States appears to have embarked on a program of unilateral disarmament including cutbacks of foreign bases, phasing out of the manned bomber program. and cancellation of production of new weapons systems, thereby weakening American security:

Resolved, That the National Society, Daughters of the American Revolution, urge a strong military posture capable of defending this Nation from all enemies, and warn that complete and general disarmament can result only in a socialistic one world government.

FISCAL POLICY AND THE MONETARY SYSTEM

Whereas national solvency is essential to continued American freedom, and the preservation of the free world economy hinges on the soundness of the dollar which has declined in value by more than 50 percent over a 30-year period; and

Whereas almost continuous deficit spending by the Federal Government has undermined faith abroad in the dollar and forced the United States to remove the gold reserves previously held as backing for Federal Reserve deposits in order to make this gold available for foreign claims, which are the result of persistent United States deficits in the international balance of payments; and

Whereas the United States is endeavoring to stem the flow of gold, without acknowledging that the root of its trouble is excessive Federal spending:

Resolved, That the National Society, Daughters of the American Revolution, express firm conviction that the fiscal solvency of the Nation can be assured only by balanced budgets, curtailed foreign spending, and maintenance of adequate gold reserves behind the currency.

LEGISLATIVE REAPPORTIONMENT

Whereas article IV, section 4, of the Constitution of the United States of America provides, in part, "The United States shall guarantee every State in the Nation a republican form of government"; and

Whereas the reapportionment directive to the State legislatures requires that they be composed of representatives elected on the principle of one man, one vote without respect for previously regarded characteristics stemming from each State's distinct history, distinct geography, distinct distribution of population, and distinct political heritage, thus eliminating the previous system of "checks and balances"; and

Whereas the reapportionment directive allows large cities to exercise excessive power while agricultural, rural, and smalltown regions would be without their constitutional right of adequate representation:

Resolved, That the National Society, Daughters of the American Revolution, urge that appropriate effort be made to continue the historic precedent of "checks and balances" in State legislatures established by the Constitution of the United States of America in order to protect the sovereign rights of the States and of the people therein.

UNITED NATIONS GENOCIDE CONVENTION

Whereas article VI, section 2, of the Constitution of the United States of America provides that "all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; * * * anything in the Constitution or laws of any State to the contrary notwithstanding"; and

Whereas, despite varying pressures over a 15-year period, the Senate of the United States has refused to ratify the United Nations Genocide Convention (treaty), which fails in its primary purpose of preventing genocide among nations, does not include persecution of political groups in its definition of genocide and, by its terms, permits totalitarian countries to sign the convention with impunity; and

Whereas, contrary to general opinion, the United Nations Genocide Convention is directed toward individuals rather than nations and opens a new concept of international law whereby domestic crimes would be converted to international crimes by treaty law; and

Whereas the convention offers a threat to a free people since it does not define what

constitutes "causing serious mental harm to a group," for which crime American citizens would be exposed to possible arrest, extradition, and trial before an international penal tribunal without benefit of rights secured by the Constitution:

Resolved, That the National Society, Daughters of the American Revolution, commend the Senate of the United States for its wisdom and restraint in thus far refusing to ratify the United Nations Genocide Convention, and express the hope that the Senate will steadfastly continue to protect the American people from the dangers of treaty law.

COMBATING COMMUNISM AND COMMUNIST PROPAGANDA

Whereas subversive propaganda is disseminated by segments of the communications media, and by misguided persons as well as active Communists and sympathizers; and

Whereas special targets of the Communists are youth, religious, and minority groups; and

Whereas authoritative information on the tactics, methods, semantics, and objectives of world communism is essential to understanding and combating its false propaganda:

Resolved, That the National Society, Daughters of the American Revolution, urge its members to study available reliable information on Communist techniques and objectives, including official Government reports of the Senate Internal Security Subcommittee, the House Committee on Un-American Activities, and other material exposing the Communist conspiracy, in order to be alert to its insidious plans and influences;

Resolved, That the National Society, Daughters of the American Revolution, urge its members to work for the enforcement of the Internal Security Act of 1950, which was designed to provide greater protection for our Nation and our citizens against Communists and Communist organizations.

REGULATION OF FOREIGN COMMERCE

Whereas article I, section 8, paragraph 3 of the U.S. Constitution defining powers of Congress states, "The Congress shall have power to regulate foreign commerce * * *"; and

Whereas the constitutional responsibility of Congress to regulate our foreign trade was surrendered in 1934 to the executive branch of Government through the Trade Agreements Act, with authority to transfer such responsibility to an international agency composed of competitive foreign nations sitting in Geneva, Switzerland; and

Whereas, since 1947, the international agency known as the General Agreement on Tariffs and Trade (GATT), which was never approved by Congress and in which the United States has but one vote, has been regulating our foreign commerce; and

Whereas present low tariffs have adversely affected numerous American industries with consequent loss of jobs of American workers:

Resolved, That the National Society, Daughters of the American Revolution, reiterate its previous support of the constitutional principle that regulation of foreign commerce rests with the Congress of the United States of America.

TO PRINT AS A SENATE DOCUMENT A COMMITTEE PRINT ENTITLED "PROPOSED FEDERAL PROMOTION OF 'SHARED TIME' EDUCATION"—REPORT OF A COMMITTEE

Mr. MORSE. Mr. President, from the Committee on Labor and Public Welfare, I report a resolution to have printed as a Senate document a committee print entitled "Proposed Federal Promotion of 'Shared Time' Education."

It is a digest of the relevant literature and the summary of pro and con comments upon the proposals which was compiled by the Legislative Reference Service of the Library of Congress. In discussion in a full committee meeting on March 5, 1965, it was pointed out that this material should be most helpful to Senators in connection with inquiries they will be receiving as the result of the enactment of H.R. 2362, the landmark Elementary and Secondary Education Act of 1965, which was signed by the President on April 11 and is now known as Public Law 89–10.

The resolution was unanimously reported by the committee.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 98) was referred to the Committee on Rules and Administration, as follows:

Resolved, That there be printed as a Senate document the committee print entitled "Proposed Federal Promotion of 'Shared Time' Education (a Digest of Relevant Literature and Summary of Pro and Con Arguments)", prepared by the Legislative Reference Service of the Library of Congress at the request of Senator WAYNE MORSE and issued by the Subcommittee on Education of the Committee on Labor and Public Welfare during the 88th Congress, 1st session; and that there be printed one thousand additional copies of such document for the use of that committee.

TO PRINT AS A SENATE DOCUMENT A PUBLICATION ENTITLED "STUDENT ASSISTANCE HANDBOOK: GUIDE TO FINANCIAL ASSISTANCE FOR EDUCATION BEYOND THE HIGH SCHOOL"—REPORT OF A COMMITTEE

Mr. MORSE. Mr. President, I further report from the Committee on Labor and Public Welfare a resolution to have printed as a Senate document a publication entitled "Student Assistance Handbook: Guide to Financial Assistance for Education Beyond the High School." This handbook, which was compiled by the Legislative Reference Service of the Library of Congress, is a revision and expansion of an earlier committee print which has already been of much assistance to all Senatorial offices.

We know that the parents of America have a tremendous interest in obtaining the best possible education for their sons and daughters. The proposed Senate document contains much helpful material relating to loans, grants, and scholarships available from a multiplicity of sources.

Mr. President, I ask unanimous consent that the resolution to which I have referred be received and appropriately referred.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 99) was referred to the Committee on Rules and Administration, as follows:

Resolved, That there be printed as a Senate document the committee print entitled "Student Assistance Handbook (Guide to Financial Assistance for Education Beyond High School)", prepared by the Legislative Reference Service of the Library of Congress and issued by the Subcommittee on Education of the Committee on Labor and Public Welfare during the eighty-eighth Congress, second session; and that there be printed four thousand additional copies of such document for the use of that committee.

BILLS AND 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. ELLENDER (by request):

S. 1812. A bill to amend subsections (a) and (b) and to repeal subsection (f) of section 3 of the Rural Electrification Act of 1936, as amended, to establish the Rural Electrification Administration Loan Account, and for other purposes;

S. 1813. A bill providing for reduction of the borrowing power of the Commodity Credit Corporation and the cancellation of notes due the Treasury in amount equivalent to such reduction and other purposes;

S. 1814. A bill to amend the act of August 28, 1950, enabling the Secretary of Agriculture to furnish, upon a reimbursable basis, certain inspection services involving overtime work; and

S. 1815. A bill to amend section 301 of title III of the act of August 14, 1946, relating to the establishment by the Secretary of Agriculture of a national advisory committee, to provide for annual meetings of such committee; to the Committee on Agriculture and Forestry.

By Mr. METCALF (for himself and Mr. HRUSKA):

S. 1816. A bill to amend the Migratory Bird Conservation Act with respect to the disposal of land and interests in land acquired pursuant to such act; to the Committee on Commerce.

(See the remarks of Mr. METCALF when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 1817. A bill to amend the District of Columbia public assistance law to clarify the categories of federally aided assistance recipients; to the Committee on the District of Columbia.

(See the remarks of Mr. RIBICOFF when he introduced the above bill, which appear under a separate heading.)

By Mr. PEARSON (for himself and Mr. CARLSON):

S. 1818. A bill to provide for the establishment and administration of the Great Prairie Parkway in the State of Kansas; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. PEARSON when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 1819. A bill to authorize the conveyance of all right, title, and interest of the United States reserved or retained in certain lands heretofore conveyed to the city of El Paso, Tex.; to the Committee on Armed Services.

By Mr. RANDOLPH (for himself and Mr. BYRD of West Virginia):

S. 1820. A bill to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Finance.

(See the remarks of Mr. RANDOLPH when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 1821. A bill for the relief of En Shui Tai; to the Committee on the Judiciary.

By Mr. BENNETT:

S. 1822. A bill to provide for a temporary suspension in the payment of principal and interest charges on certain disaster loans made by the Small Business Administration; to the Committee on Banking and Currency.

By Mr. JACKSON:

S. 1823. A bill for the relief of Young Bin Yim; to the Committee on the Judiciary.

By Mr. GORE:

S. 1824. A bill to provide for the appointment of three additional judges for the Court of Appeals for the Sixth Circuit; to the Committee on the Judiciary.

(See the remarks of Mr. GORE when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 1825. A bill to provide assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques and practices in State and local law enforcement and prevention and control of crime, and for other purposes; to the Committee on the Judiciary.

By Mr. SALTONSTALL (for himself and Mr. KENNEDY of Massachusetts):

S.J. Res. 70. Joint resolution providing for the erection of a memorial statue to the late Dr. Robert H. Goddard, the father of American rocketry; to the Committee on Rules and Administration.

CONCURRENT RESOLUTION

RECOGNITION OF WHITEHALL, N.Y., AS THE BIRTHPLACE OF THE U.S. NAVY

Mr. JAVITS submitted a concurrent resolution (S. Con. Res. 33) to recognize Whitehall, N.Y., as the birthplace of the U.S. Navy, which was referred to the Committee on Armed Services.

(See the above concurrent resolution printed in full when submitted by Mr. JAVITS, which appears under a separate heading.)

RESOLUTIONS

TO PRINT AS A SENATE DOCUMENT A COMMITTEE PRINT ENTITLED "PROPOSED FEDERAL PROMOTION OF 'SHARED TIME' EDUCATION

Mr. MORSE, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 98) to print as a Senate document the committee print entitled "Proposed Federal Promotion of 'Shared Time' Education (A Digest of Relevant Literature and Summary of Pro and Con Arguments)," which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. MORSE, which appears under the heading "Reports of Committees.")

TO PRINT AS A SENATE DOCUMENT A COMMITTEE PRINT ENTITLED "STUDENT ASSISTANCE HANDBOOK (GUIDE TO FINANCIAL ASSISTANCE FOR EDUCATION BEYOND HIGH SCHOOL)"

Mr. MORSE, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 99) to print as a Senate document the committee print entitled "Student Assistance Handbook (Guide to Financial Assistance for Education Beyond High School)," which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. MORSE, which appears under the heading "Reports of Committees.")

CHANGES IN MEMBERSHIP OF CERTAIN STANDING COMMITTEES OF THE SENATE

Mr. MANSFIELD submitted a resolution (S. Res. 100) making changes in the membership of certain standing committees of the Senate, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

RATCHET II—THE TURN OF THE SCREW

Mr. METCALF. Mr. President, almost 2 months ago, I called the attention of my colleagues to an operation in the Bureau of the Budget called "ratchet I" by employees, who said it described a "tightening up" on investment and expenditure of tax dollars collected at the Federal level.

On February 8, at page 2199 of the CONGRESSIONAL RECORD, I said I preferred that definition of "ratchet" in Webster's unabridged dictionary, which is "a device for turning the screws or clamps on."

I pointed out to my colleagues that "ratchet I" had at that time resulted in orders to close defense installations, veterans hospitals, and fish hatcheries, and to withdraw Federal funds from State-supported agricultural research programs, among others.

I advised my colleagues that, if they thought "ratchet I" was tough, they should wait until they see "ratchet II."

Today, I am talking about "Ratchet II—the Turn of the Screw." I am talking about proposals, by officials of the Bureau of the Budget, to break faith with our duck hunters—and others sincerely interested in the National Wildlife Refuge System.

It is inconceivable to me that the record written by the historic 88th "conservation" Congress; the words of President Johnson in his message on natural beauty when he said "The wonder of Nature is the treasure of America"; and Secretary Udall's valiant work to arouse the Nation's attention to the "quiet crisis" we face in needs for parks, wilderness, wildlife areas, and recreational space are to be undermined by the sightless mole of false economy.

Recently, I brought this up again at a meeting of the Migratory Bird Conservation Commission, of which I am a member. Senators, as you know, this is the group, established by law to pass on recommendations by its Chairman, the Secretary of the Interior, for additional migratory bird refuges within the National Wildlife Refuge System. Members of the Commission include the Secretary of Agriculture, the Secretary of Commerce, another Member of this body, the distinguished Senator from Nebraska [Mr. HRUSKA], and two Members of the House [Mr. KARSTEN and Mr. CONTE].

I brought this up at the Commission meeting because officials of the Bureau of the Budget propose to reduce or eliminate 11 wildlife refuges in 12 States at a claimed savings of $210,000 a year and 11 jobs. In fact, this is more than a proposal. It is practically effected—even though the refuges in question are still Federal properties and their personnel still employed. The fiscal year 1966 operating budget for the National Wildlife Refuge System has been reduced by $210,000.

Refuges marked for reduction or elimination—with claimed savings— in fiscal 1966 are, in alphabetical order by States:

First. Havasu National Wildlife Refuge, Ariz. and Calif., $10,000.

Second. Piedmont National Wildlife Refuge, Ga., $44,000 and three permanent positions.

Third. Moosehorn National Wildlife Refuge, Maine, $30,000 and two permanent positions.

Fourth. Monomoy National Wildlife Refuge, Mass., $13,200 and one permanent position.

Fifth. Desert Game Range, Nev., $6,500.

Sixth. Killcohook National Wildlife Refuge, N.J., $1,500.

Seventh. Bosque del Apache National Wildlife Refuge, N. Mex., $10,000.

Eighth. Sullys Hill National Game Preserve, N. Dak., $18,800 and one permanent position.

Ninth. Carolina Sandhills National Wildlife Refuge, S.C., $37,000 and two permanent positions.

Tenth. Little Pend Oreille National Wildlife Refuge, Wash., $29,000 and two permanent positions.

Eleventh. Pathfinder National Wildlife Refuge, Wyo., none.

Mr. President, this proposal raises grave questions of public policy.

It may be that there are units in our wildlife refuge system which, on the basis of experience, should be reduced or eliminated—despite the fact that the basic statute, the Migratory Bird Conservation Act provides in its title for the acquisition of these areas of land and water "in perpetuity."

However, this is a program set up by the Congress, and administered by a Commission created by the Congress, as trustees for the funds of American duck hunters and other contributing conservationists who came to us and asked that we provide for a duck stamp and use the proceeds to acquire necessary land for migratory bird refuges.

In addition, we are trustees of the funds of organizations and private individuals, who have contributed millions of dollars for acquisition, and in some cases development, of these refuges.

At the most recent meeting of the Migratory Bird Conservation Commission, for example, we approved creation of the Great Swamp National Wildlife Refuge in New Jersey, to which hundreds of individuals have made substantial contributions.

This effort began in 1959, when a group of public spirited citizens set out to save this unique area in an urban area. The North American Wildlife Foundation, and the Great Swamp Committee organized a nationwide campaign to raise money to buy and preserve the area. To date, that drive has raised more than $1 million, a substantial part of which already has been invested in more than 2,500 acres of land which the foundation is donating for the refuge. Other land is under option. Implicit in this substantial donation in the public interest is the understanding that the land will be used for a waterfowl refuge and a natural and scientific area.

As trustees of the funds of duck hunters, private individuals, and conservation groups, it follows that there also is a congressional responsibility for removal of lands from the refuge system.

I, therefore, am introducing an amendment to the Migratory Bird Conservation Act providing simply that land gets out of the refuge system the same way it gets in—by approval of the Commission. I ask unanimous consent that my amendment be printed at this point in the RECORD.

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

TO AMEND THE MIGRATORY BIRD CONSERVATION ACT WITH RESPECT TO THE DISPOSAL OF LAND AND INTERESTS IN LAND ACQUIRED PURSUANT TO SUCH ACT

That section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a) is amended by inserting "(a)" after "SEC. 2." and by inserting at the end of such section a new subsection as follows:

"(b) Any land or interest in land approved for acquisition or use by the Commission pursuant to this Act shall not be sold, terminated, transferred for any other use, or otherwise disposed of without the approval of the Commission."

Mr. METCALF. Mr. President, it is true that parts of the area listed were obtained from funds authorized in the depression to purchase submarginal and unproductive lands, to relieve the financial plight of private owners who could not pay taxes, rather than duck stamp funds. It is equally true, however, that these funds under the authorities of the National Industrial Recovery Act of 1933, the Emergency Relief Act of 1935 and title III of the Bankhead-Jones Farm Tenant Act were intended by the Congress to be used by the embryonic wildlife refuges for the enhancement of national wildlife purposes in a similar manner as this same source added some 9 million acres to the national forests for the advancement of public effort in forest conservation. Therefore, I find invalid any argument advanced in behalf of refuge elimination based upon source of acquisition funds. In addition, we may still pose the question of the amount of duck stamp funds involved not only in acquisition but also in the development, administration, research, and maintenance of these areas. While I do not know the precise expenditures on the areas involved, I do know that in the decade following World War II millions of dollars of duck stamp funds were used in the operation, development, and maintenance of refuges. I know further that many of the areas listed for elimination received duck stamp funds for this purpose. The question may well be asked, "Should the fund, to which waterfowl hunters and conservationists contribute, be compensated when land in which duck stamp funds have been spent or invested in any way, passes from the refuge system?"

And there are other questions, both of general policy and specifically directed at these 11 refuges.

During the past few years, there has been an urgent drive to acquire more public recreation areas, including the open spaces program. I wonder about the advisability of buying such land in one place while disposing of it in another.

What happens to the land, which was in public domain status prior to becoming part of a refuge, when the refuge status is dropped? Does it return to the public domain, or is it to be disposed of as surplus?

We are involved in a program to protect so-called endangered species of wildlife. Is adequate consideration given to this wildlife resource when refuges are proposed for disposal?

As these areas are relinquished, what assurance is there that they will continue to be operated for the purpose for which they were acquired? Is there an estimate of the capability of the receiving agency to do so? If they are unable or unwilling to do so, will title revert to the United States? Are the program purposes of recipients compatible with the productive capabilities of the land given them?

Among these are questions I addressed to the Chairman of the Migratory Bird Conservation Commission, Secretary of the Interior Udall, in a letter under date of February 18, 1965. I shall ask that that letter and the reply be made a part of the RECORD at the conclusion of my remarks.

A few minutes ago, I noted that the reduction or elimination of these 11 national wildlife refuges was being made to save money. One example of the saving is at the Piedmont Refuge. According to the false economy claim, elimination of this refuge would save $44,000 in the next fiscal year. Even if we discount wildlife and other values and deal only with dollars and cents—this is some saving, when you consider that in 1964, sale of timber alone from the refuge brought in $124,000—or almost three times the amount we will save by eliminating the refuge.

It should be further noted that receipts from these refuges become part of the permanent appropriations to the refuge system—funds which Congress presumably would have to replace as revenue-producing units pass from the system. This is another example of saving.

Following are the details on the refuges proposed for elimination or reduction:

First. Havasu National Wildlife Refuge, Ariz. and Calif.: Little objection has been raised to the proposal to reduce the size of this refuge by some 17,000 acres. Here it has been determined that higher values than wildlife conservation exist in connection with the revitalization of the Lower Colorado River land use pattern. In addition, these losses are mitigated by other adjustments in the Lower Colorado plan favoring wildlife at other locations.

Second. Piedmont National Wildlife Refuge, Ga.: The plan is to abolish this 33,900-acre refuge, which has an increasing value for waterfowl and good value for deer, wild turkey, and other forest game. A noted wildlife expert has said it "would be a crime to give up the Piedmont Refuge."

Multiple-use management includes timber production, wildlife management, and intensive recreational use in a sound program, at once profitable to the United States and to the counties in which the refuge is located.

Timber on the refuge now totals some 150 million board feet with a value in excess of $5 million. Annual growth is more than 10 million board feet, valued at some $300,000, and increasing. Even considering an annual cut nearly equal to the annual growth this timber resource will be worth about $10 million fn less than 40 years.

Wildlife populations have skyrocketed with good management. In 1960 at least part of the area was first opened to deer hunting, and now attracts some 6,000 hunters annually. The number of wild turkeys continues to increase, and it is anticipated opening the area to turkey hunting. Past development, limited by funds, has increased waterfowl use days from 8,000 in 1958 to 116,000 in 1964, and this upward trend is expected to continue.

The Piedmont Refuge is one of the most popular recreation areas in Georgia, the number of visitors having more than quadrupled in 5 years, increasing from 5,000 in 1960 to almost 23,000 in 1964. This increase is expected to continue with the attendant effect on the local economy.

Jasper and Jones Counties receive 25 percent of the total refuge receipts, after deduction of expenses, in lieu of taxes. The income to the two counties tripled between 1961, when it was $10,530, and 1964, when it was $34,493. The payment in 1964 amounted to $1.05 an acre, compared to an average tax of 40 cents an acre on land of this type in these counties, showing that the refuge is paying its own way—and more.

Besides its paramount contribution to the conservation of our natural resources, the Piedmont National Wildlife Refuge is a major asset to the area. It is one of its major industries, important to the local economy as a base for the timber and tourist industry, while more than paying its own way.

Third. Moosehorn National Wildlife Refuge, Maine: On this 22,600-acre refuge it is proposed to dispose of two areas, the size of which I do not know as yet, leaving a small residual unit for continued Federal administration. I understand that nearly $1 million worth of duck stamp funds has gone into the development of this area. Another question also arises here. I am told that part of the refuge, known as the Edmunds Unit, is proposed for disposal to the State of Maine for recreational use. This is the

same area in which the accelerated public works program invested nearly half a million dollars to develop for Federal wildlife recreation purposes just a year ago. Reportedly a 30-year lease agreement already has been executed with the State of Maine which turned over to the State of Maine these newly developed recreation facilities, plus the operating headquarters and employees' residences of the unit. While I am unable to judge the program justification of this action, I do question policies which invest Federal development capital in a wildlife recreation area then abdicate responsibility for Federal management. On top of this I know of no legislative authority for the Bureau of Sport Fisheries and Wildlife to enter into any lease or agreement such as this.

The Moosehorn proposal also contemplates trading part of the area to timber companies for wet lands valuable to waterfowl elsewhere in the State. The interspersed timber resource around many small lakes and marshes is not only valued at half a million dollars but provides a beautiful setting for recreational use of the area where hunting and fishing and other uses total some 25,000 visitors each year with attendant local economic benefits. The timber companies will benefit but will the people and the cause of conservation?

Fourth. Monomoy National Wildlife Refuge, Mass.: When the Cape Cod National Seashore, which I supported, was proposed, conservationists, admitting that their interest was in wildlife, opposed the inclusion of this 2,700-acre refuge in the seashore. This island is tremendously important for migratory shore birds and coastal waterfowl. Its value lies in the fact that it is a natural beach, relatively undisturbed by man. Its addition to the seashore would continue this area's wildlife value only if it remained a natural beach under administration of the National Park Service. There is no assurance that it would. A refuge this important for migratory birds should be continued under the administration of that agency with a wildlife mission, the Bureau of Sport Fisheries and Wildlife, rather than be transferred to the Park Service, pressed as it is for access and recreation development.

Fifth. Desert Game Range, Nev.: Here it is proposed to reduce this 2,250,000-acre area by turning over 500,000 acres, plus buildings and facilities, to the Bureau of Land Management for recreation development. The area marked for disposal is south of the highway from Las Vegas to the Atomic Energy Commission's test installation headquarters, in the vicinity of the Charleston Peaks area administered by the Forest Service. The large size of the game range is due to the arid and fragile nature of the land—and its inability to support more than a few sheep, or cattle. In addition to the AEC, the Air Force also uses part of the area for test purposes. The tract, proposed for relinquishment is away from the main, and best, desert bighorn sheep range.

As you know, the National Park Service supports, as I do, creation of a Great Basin National Park in Nevada. Its proposal is described as being much less of an area, as far as scenery and natural variation are concerned, than the area remaining in the Desert Game Range after the proposed reduction. One suggestion has been that the game range could become the national park site—thus giving greater protection to the rare desert bighorns than would be possible under continued administration by the Bureau of Sport Fisheries and Wildlife. I understand also that the AEC is considering expansion into the game range. This situation I hope will be carefully reviewed by the Public Land Law Review Commission.

Sixth. Killcohook National Wildlife Refuge, N.J.: Experts say this small area, on lands primarily controlled by the Corps of Engineers, has been decreasing in value as it has been used as a diked dredge spoils dumping area.

Seventh. Bosque del Apache National Wildlife Refuge, N. Mex.: Here it is proposed to dispose of some 35,000 acres of low value uplands on the 57,200-acre refuge. This area has a history of overgrazing. When it was taken over by the Bureau in 1939, the fragile desert uplands were heavily overgrazed and erosion was serious. The Bureau says these problems are solved. Watershed experts, concerned with the fragile watershed above Reclamation's Elephant Butte Dam, are concerned with the possibility of renewed aggravated erosion and siltation from this area which is a part of that watershed. The central wetlands core of the area would continue to be managed for waterfowl purposes.

Eighth. Sullys Hill National Game Preserve, N. Dak.: This 1,700-acre, fenced big game range and recreation area with buildings and other facilities is marked for disposal, without objection to date. However, this area is at, or near, the center of the program under which we are seeking to acquire small wetlands for breeding and nesting grounds in the important pothole region of the Dakotas. It may be that consideration should be given to holding at least a part of this land for an administration site for that program.

Ninth. Carolina Sandhills National Wildlife Refuge, S.C.: The proposal is to eliminate this 49,000-acre refuge, which has a present value mostly for deer, turkey and quail, in addition to increasing recrational values. A question here is that if we were planning to dispose of this refuge, why was $500,000 in accelerated public works funds spent recently on clearing land for goose browse, impounding lake sites, and building recreation facilities which are attracting increasing numbers of geese and ducks, in addition to fishermen and campers?

Tenth. Little Pend Oreille National Wildlife Refuge, Wash.: This refuge of almost 44,000 acres, a mountainous area which is the home of a unique species of white-tailed deer and other wildlife, is marked for elimination. I have been told that the timber on this refuge is worth $5 million—which, if true, should well qualify elimination of this refuge for the claimed saving of $29,000 in the year beginning next July 1. This area has an excellent potential for recreation development of many kinds. If we are serious about outdoor recreation development, it occurs to me that this might be a valuable piece of public property managed for wildlife and for recreation.

Eleventh. Pathfinder National Wildlife Refuge, Wyo.: To date, I have heard no objection to releasing 32,000 acres while adding 1,360 acres to this refuge of some 46,300 acres, which supports some waterfowl, deer, and antelope.

Here now I have summarized all I could learn of these proposed actions. Most of the evidence available to me hardly fits any criteria for sensible elimination. The areas in question not only possess wildlife values but also important recreation and natural resource assets to our Federal programs of national wildlife conservation and public recreational enhancement. A few areas appear justified for disposal. The questions before us here today again parallel others before the Congress this session. I refer to the contemplated closings of veterans hospitals, cutbacks in soil conservation services and ACP payments. Specifically, I ask my colleagues, "Can this Nation afford Budget Bureau cuts, for the sake of small economies, when such cuts are contrary to the National purposes determined by the Congress?" Particularly when in the field of natural resource activity and conservation there is no one in this agency of bookkeepers qualified to make such important policy decisions.

I ask unanimous consent that my letter of February 18, 1965, to Interior Secretary Udall, and his reply to me, under date of March 27, 1965, be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed into the RECORD, as follows:

MIGRATORY BIRD
CONSERVATION COMMISSION,
Washington, D.C., February 18, 1965.

HON. STEWART UDALL,
Chairman, Migratory Bird Conservation Commission, U.S. Department of the Interior, Washington, D.C.

DEAR MR. CHAIRMAN: I take this means to call your attention to my remarks in the CONGRESSIONAL RECORD of February 8, 1965, entitled "Ratchet I." They deal with the Budget Bureau's present go-round to reduce investment of tax funds collected at the Federal level.

In this connection, I understand that consideration is being given to relinquishing Federal jurisdiction over all or parts of 11 national wildlife refuges in 12 States. I plan to raise questions about this at the next Commission meeting, now tentatively scheduled for March 23, 1965. Before that time, I hope the other Commission members and I may have a complete report on this proposal, including location and description of the refuge lands considered for disposal; details on their acquisition, including whether and to what extent duck stamp funds were involved in acquisition or development, administration, research or maintenance; the agencies to which it is proposed that these areas be relinquished and any commitments from these agencies as to the future of the areas.

As you know, we are involved in a program to protect so-called endangered species. Are any of the refuges proposed for disposal important in this regard?

You and I also share an interest in outdoor recreation and the open spaces program. I am inclined to wonder about the advisability of buying such land in one place while disposing of it in another.

If it is decided to relinquish these areas, what assurance is there that they will continue to be operated for the purpose for which they were acquired? Is there an estimate of the capability of the receiving agency to do so? If they are unable to do so, will title revert to the United States?

I also will appreciate being advised as to whether the Commission, charged with passing on your requests for additions to our refuge program, is to be consulted on any proposals to relinquish these lands.

Very truly yours,

LEE METCALF.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 27, 1965.

Hon. LEE METCALF,
U.S. Senate,
Washington, D.C.

DEAR SENATOR METCALF: I have your letter of February 18 relating to the program of the Department to effect economies and provide more efficient management of the facilities under its jurisdiction, particularly the 11 national wildlife refuges proposed for curtailment.

I am attaching a statement explaining each proposal that is under consideration and the basis on which the proposal is being made. I am also attaching a tabulation that sets forth the acreage within the various units scheduled for curtailment as well as a breakdown of the authority under which the lands came within the National Wildlife Refuge System. On this tabulation we have also indicated the amount expended from the duck stamp funds.

Subsequent to fiscal year 1960 there have been no expenditures from the duck stamp funds for other than the acquisition of lands and related expenses. For fiscal year 1960 and prior years substantial sums of duck stamp money were expended on some of the refuges in question. So far as we have been able to determine there have been no duck stamp moneys expended for development, administration, research, or maintenance on the following refugees: Piedmont National Wildlife Refuge, Ga.; Desert Game Range, Nev.; Sullys Hill National Game Preserve, N. Dak.; Carolina Sandhills National Wildlife Refuge, S.C.; Little Pend Oreille National Wildlife Refugee, Wash.

Duck stamp money has been expended for operation and maintenance, and development on all of the rest of the refuges on the list.

With respect to your questions relating to endangered species and the open spaces program we can assure you that none of the refuges scheduled for relinquishment are of importance for endangered species. Disposition of these areas must be in accordance with existing law; however, it is our plan in each instance that a public agency would take over management and maintain the open spaces you mention.

Your discussion of this problem at the Migratory Bird Conservation Commission was most helpful. We agree that we should hold a meeting of the Commission to discuss this and the whole problem of conflicting uses on refuges soon.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

Refuges scheduled for curtailment

LITTLE PEND OREILLE, WASH.	Acres
Total project area	43,959
Purchased with reverted Federal aid funds	2,251
Public domain	9,208
Acquired by the Resettlement Administration	28,169
Acquired by exchange	4,331

Refuges scheduled for curtailment—Con.

HAVASU REFUGE, ARIZ. AND CALIF.	Acres
Total refuge area	44,328
Public domain	20,612
Reclamation acquired land	16,736
Meandered area	6,980
DESERT GAME RANGE, NEV.	
Total area	2,188,379
Public domain	2,188,055
Acquired by purchase and gift	324
PATHFINDER REFUGE, WYO.	
Total project area	46,341
Public domain under primary withdrawal	7,344
Public domain under secondary withdrawal	33,146
Purchased by reclamation	5,851
BOSQUE DEL APACHE REFUGE, N. MEX.	
Total project area	57,191
Public domain	140
Purchased with duck stamp funds, $4,334	963
Purchased with $6,000,000 fund	55,887
SULLYS HILL NATIONAL WILDLIFE REFUGE, N. DAK.	
Total project area public domain	1,674
CAROLINA SAND HILLS REFUGE, S.C.	
Total project area	45,011
Acquired by exchange	51
Purchased by Resettlement Administration	44,555
Leased from the State	405
PIEDMONT REFUGES, GA.	
Total project area	32,899
Purchased by Resettlement Administration	27,622
Purchased by the Bureau (duck stamp), $44,000	430
Acquired by exchange	4,847
MONOMOY NATIONAL WILDLIFE REFUGE, MASS.	
Total project area, purchased with reverted Federal aid and $6,000,000 fund	2,696
KILLCOHOOK REFUGE, N.J. AND DEL.	
Total project area	1,486
Purchased by the Bureau	38
Purchased by the Corps of Engineers and Department of Commerce	1,448
MOOSEHORN NATIONAL WILDLIFE REFUGE, MAINE	
Total project area	22,566
Purchased by Resettlement Administration	6,490
Gift to the Bureau	333
Purchased with $6,000,000 fund	11,776
Purchased with duck stamp funds, $43,159	3,967

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1816) to amend the Migratory Bird Conservation Act with respect to the disposal of land and interests in land acquired pursuant to such act, introduced by Mr. METCALF (for himself and Mr. HRUSKA), was received, read twice by its title, and referred to the Committee on Commerce.

AMENDMENT OF DISTRICT OF COLUMBIA PUBLIC ASSISTANCE LAW

Mr. RIBICOFF. Mr. President, we are, I am sure, all agreed that our Capital—the District of Columbia—should be the Nation's pride and not the Nation's shame.

Year in and year out—especially at this season of the year—children come to Washington. They look at our imposing white buildings and at the respected institutions of a great democracy. There is much that they see—much material for them to ponder and talk about when they return to their homes—much that is good and, tragically, some that is bad.

What do they read here in our newspapers of Washington, D.C.? They read about children who are homeless and hungry. They read—just this last week—about a mother who died in the mental ward of our great public hospital. She left five small children—four in overcrowded Junior Village, one in Children's Hospital. They read that this mother had died after several days searching fruitlessly for help for her homeless family. They read that her husband and children wept at her funeral—that because of rigid welfare regulations, it was better for the parents of this family to live separately than together. For each time they were reunited, their welfare payments stopped. They read that this Capital City—governed by the Congress of the United States—was content to enact a far-reaching welfare program for the entire Nation, but not for the Capital, the District of Columbia.

Mr. President, we have fought the good fight to expand and liberalize the District's welfare programs for 2 years now. Each year I have introduced amendments to broaden the aid to families with dependent children's program in Washington. Each year I have asked here in the Senate that children of unemployed parents be included in that category so that all people in need and in trouble will be helped and no children will go hungry. Then parents would have no need to separate so that their children will be helped, and families would be united, not cut apart and left to drift helpless and hapless.

We have lost this issue by a few votes each year. This year, Mr. President, I believe that the whole Senate of the United States should take a long close look at the eligibility rules of the public assistance programs of the District. It is our responsibility to do so, so that the fate of our Capital's children will be based on rehabilitation and opportunity for them and not as ill fate of their parents.

Accordingly, I am introducing substantive legislation today which would provide that at least for the programs in which the Federal Government shares

the cost, as it does in the States, that the programs would be broadly enough defined to permit needy individuals to be eligible so long as participation for such individuals would be available under the public assistance titles of the Social Security Act.

This would make eligible needy families in which the breadwinner is unemployed, children in foster care who have been removed from their homes by courts because their home situations were contrary to their welfare, needy families in which the breadwinner is deemed employable, and some other similar groups.

This is a modest step in trying to assure that needy persons in the Nation's Capital are not excluded from public welfare programs.

When I was Secretary of Health, Education, and Welfare, Congress established a far-reaching constructive program for the entire Nation, but so far has failed to implement that program here in Washington, D.C.

I believe, Mr. President, that the Senate District Committee, whose responsibility this is, should explore it thoroughly. In his colloquy with me on this floor last August, the distinguished Senator from Oregon [Mr. MORSE], chairman of the Public Health, Education, Welfare, and Safety Subcommittee, indicated his interest in this matter. I am sure that in his capable hands, it will get the hearing it deserves.

Surely the Congress of the United States should make sure children whose parents are out of work and impoverished in the Capital do not go hungry.

Certainly there must be rules of eligibility, in public welfare as in other publicly financed programs. Welfare chiseling, welfare fraud, are to be decried—just as are all chiseling and fraud—even if they exist in only one or two cases.

But arbitrary rules of disqualification, standing alone, do not comprise a constructive program for solving human problems. They must be accomplished by provisions whereby arrangements are made for every child in need.

Mr. President, I introduce, for appropriate reference, a bill to amend the District of Columbia public assistance law to clarify the categories of federally aided assistance recipients.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1817) to amend the District of Columbia public assistance law to clarify the categories of federally aided assistance recipients, introduced by Mr. RIBICOFF, was received, read twice by its title, and referred to the Committee on the District of Columbia.

GREAT PRAIRIE PARKWAY, KANS.

Mr. PEARSON. Mr. President, on behalf of myself, and my colleague, the senior Senator from Kansas [Mr. CARLSON], I introduce, for appropriate reference, a bill to establish a Great Prairie Parkway in Kansas as an integral part of the national park system.

The Great Prairie Parkway we propose will be a fitting and nationally significant presentation of the last major remaining vestiges of the true or tall prairie that once existed in a wide region of the Midwestern United States.

It would exhibit the true prairie and its associated wildlife. It would capitalize on the lure of the historic and scenic attractions associated with the great frontier experience of settling the West. It would parallel the growing national expression of interest in the frontier.

While frontier life was patent to no State, Kansas was unique in this era of our Nation's development because virtually all western-destined emigrants passed through its borders or settled within it. In fact, had it not been for the sustenance of its prairie, its waters, and its wildlife, the history of the settlement of the West might have taken a different course. Thus virtually every frontier story had its origin in Kansas either directly in the area through which the parkway would pass or at points related closely to it. Through the creation of the parkway we have a great opportunity to present an attractive package of frontier history.

The parkway would also offer the opportunity to display Midwest ranching and agriculture yielding their productive contributions to the Nation's well-being and economy. Every part of the Nation and much of the world relies on the Midwest and Kansas for food supplies such as cattle and wheat. Kansas is first in the United States in the production of wheat and fourth in the production of beef. The parkway would provide the opportunity for people to see this great productive area. Indeed, these activities are now a living legend in my State and the surrounding area.

Although this bill does not detail a specific route, it is my belief that the parkway would run roughly north and south through Kansas, beginning at Hanover on the north, the site of the only unaltered, original pony express station still standing, to the area of Sedan and Chautauqua on the Oklahoma border, the site of the Cherokee Strip run in 1889. Along its route the parkway could include such items of interest as the Oregon Trail, historic Fort Riley, Tuttle Creek Reservoir, Beecher Bible and Rifle Church, the Santa Fe Trail, the Overland Stage Lines, the Pony Express Lines, the Old Kaw Mission, the oldest Kansas courthouse, the famous Flint Hills, and the Fall River Reservoir.

Thus the Great Prairie Parkway could accomplish three things that would probably not be possible in any other area—display the prairie, interpret the frontier, and exhibit the great agricultural heart of the Midwest. These are the basic ends of the Great Prairie Parkway.

Of course, I cannot overlook the obvious and significant economic benefits which would accrue from the parkway.

We are introducing this bill at this time because of widespread support for this proposal in my State as indicated by an official transmittal by the State of Kansas to the Department of the Interior and the National Park Service. It is entirely conceivable to me that as this concept progresses in the further stages of study, the concept of a Great Prairie Parkway could be extended to portions of the Midwest well beyond the borders of Kansas.

A Great Prairie Parkway is consistent with the program of the National Park Service, which already has designated parkways within its jurisdiction in other areas of the Nation. It is also in keeping with an apparent trend of national policy toward joint Federal-State development of such projects. In this respect, it is not anticipated that the entire route be built to parkway specifications. But rather, it would provide a through tour route which in the most scenic areas would be designed to parkway standards but in other areas would use existing State and local roads. This, of course, would bring a parkway into existence at a minimum of cost.

I would like to stress that a number of official Kansas agencies have submitted resolutions relative to this proposal, including the Kansas State Park and Resources Authority, Kansas Forestry, Fish, and Game Commission, Kansas Historical Society, Kansas Department of Economic Development, and the Kansas State Highway Commission. They have recognized the need and benefits of such a parkway and are willing to assume specific responsibilities in cooperation with the Federal Government to make it a reality. Further, the State of Kansas and the National Park Service have both expressed an interest in relating other existing or proposed State and Federal facilities to the parkway, perhaps by predetermined alternate route or spurs to tie these other facilities into the route to add to the enjoyment of those who would use it. Although not widely publicized, I ask unanimous consent that several typical editorial comments on the proposed parkway be included in the RECORD at this point in my remarks.

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

[From the Kansas City Times, June 19, 1964]

KANSAS PRAIRIE PARKWAY HAS GREAT POTENTIAL

The proposed Prairie Parkway—to run north and south across Kansas through the lush bluestem pasture area—offers the State a rare opportunity. It would combine a route through historic frontier sites and access to limited areas where the tall grass prairie could be preserved for the public.

Moreover, the proposal makes it plan that Kansas still is deeply interested in a prairie national park. The State suffered a blow last year when the Senate Public Lands Subcommittee defeated a bill to establish a 57,000-acre park in Pottawatomie County.

So vigorous was the opposition from cattlemen to taking the huge tract of grazing use and off the county tax rolls that the Senators voted a flat rejection. They were, however, impressed with the beauty of the pastures. Suggestions were made that the State cooperate in providing scenic overlooks at choice vantage points.

Somewhat in this spirit, the State park and resources authority has presented the proposal to the National Park Service. It received an enthusiastic reception. The feasibility of a joint Federal-State project will be studied. Ultimately, it would require a bill in Congress designating the route.

Gov. John Anderson and five State agencies are supporting the plan strongly. The route would run from Hanover, site of a pony express station, south past Tuttle Creek, through Council Grove, to El Dorado, Eureka,

and Sedan, coming close to the Fall River State Park.

It seems probable that, had Kansas failed to make such a move, a tall grass park of some sort would go to another State. The National Park Service is dedicated to the proposal. But the parkway action undoubtedly will be interpreted as writing off the Pottawatomie County area. There are other prairie areas in Kansas, however, and the prairie parkway should not be considered a replacement for a national park.

It is instead, a realistic and attainable goal that is unlikely to create such bitter opposition. Selected sites would permit the restoration of the grasses. Limited acreage, of course, would not permit buffalo, deer, elk, and antelope in a native habitat, but would permit campsites, hiking trails, lookout points, and small animals and birds in abundance.

Kansas has made a sound proposal and in so doing, corrected any erroneous impression that it has lost interest in a prairie national park.

[From the Manhattan Mercury, Jan. 4, 1965]

HOPE IN AN IDEA

More than 6 months ago an idea that had been moving around in the minds of those who still want the history, the heritage and the scenic values of the tall prairie preserved was presented to Federal officials.

It came as an aftermath of the defeat of the proposed Prairie National Park, which had merit on its side and widespread support, but which as happens in so many cases was defeated by admirable cleverness and and the emotional approach that so often attends projects that are actually in the public interest. Be that as it may, the national park idea was suppressed. But the germ of appreciation did not die. And out of the determination to present the great prairie of which Kansas holds the last major remaining vestige of what once was a far-flung tall grassland came the idea for a prairie parkway.

While it departed from the idea of a massive, shall we say, park, the proposal of a parkway through the most lush and beautiful grasslands still retained the concept of history, heritage and scenery. In addition it had precedent in the Natchez Trace of the South and the Blue Ridge Parkway of the Southeast.

The idea caught on with National Park Service people and others in Washington who like some persistent Kansans were not willing to give up on dedicating themselves to some form of preservation of the prairie. In addition, the proposal had the weight of being an official one from the State of Kansas—signed by the Governor and endorsed by every agency which has any possible connection with scenic presentations, outdoor life, recreation, or economic development.

Despite unofficial appearances of enthusiasm for the Great Prairie Parkway idea there was nothing concrete to suggest that the idea was going anywhere.

Last week, however, more than a ray—a beam—of hope appeared. It came in the form of an announcement from the Secretary of the Interior that the Kansas concept of prairie presentation and interpretation will be the subject of a serious study by the Department and other Federal agencies.

Apparently the official proposal from Kansas had stirred something in Washington, for not only will the route through the choicest areas of tall grass in this State be studied but also there will be a determination as to whether the entire Great Plains region shall be traversed by a scenic and historic route for the Nation as a while to enjoy.

One of the National Park Service's most able men will head the study task force, working with other Federal and State agencies to determine the worthiness of a parkway or scenic road that would begin in the historic area of northern Oklahoma, follow the general outline of the parkway through Kansas, thence into Nebraska with its inimitable contributions of the Oregon Trail and Fort Robinson and on to the beauty and history of the Dakotas.

Only time will tell what the outcome of the explorations will be. But the mere fact that this is the first major parkway or scenic road study to be made lends considerable significance to the status of the Kansas proposal and the possibility of an overall Great Plains approach.

So while a specific proposal was defeated there is hope indeed that at least some form of prairie presentation and preservation may be achieved at last.

THE FORCE OF A BROADER APPROACH

One of the factors leading to the defeat of the Prairie National Park idea was that it was a fairly isolated project without the weight of a wide region's support.

Obviously there were other factors, including the aforementioned emotionally based resistance. But without the backing of a wide area—bipartisan, or politics, if you please—the odds at the very outset were quite long, despite the acknowledged justification for a national park preserving the prairie.

Now, however, we see developing the broadbased inducement of interest that historically has led to favorable action. The swath across Oklahoma, Kansas, Nebraska, South and North Dakota brings many more pressures to bear, to put it bluntly.

Already in Kansas we have seen considerably more interest in the prairie idea with the proposal of a parkway rather than a park. Communities which couldn't have cared less before are now actively—even aggressively—working for it. Nebraska has been particularly interested, editorially and officially, with just the possibility of a tip-end of the Kansas idea entering its State. Oklahoma has evinced encouraging interest too.

By suggesting that even more benefits might accrue to these States as well as the Dakotas we can well imagine that things may really start to jell.

We have no doubt that more than sufficient justification will be found for the Great Plains Parkway idea when the on-the-ground studies are done. And with the force of a broader approach politically and numerically it could well prove again that while a battle is lost a war can be won.

[From the Topeka State Journal, Jan. 2, 1965]

PLAINS PARKWAY SEEMS SURE

A proposed scenic road project through five of the Plains States is very much alive. A route tying together points of historic and geographic interest in Kansas, Oklahoma, Nebraska, and the Dakotas is looked upon with favor by Stewart Udall, Secretary of the Interior.

A further spur to such a route was seen in Udall's announcement Wednesday that a study of plains and grasslands areas suitable for possible inclusion in the national park system will be made. The study will be coordinated with a special recreation advisory council now considering a national program of scenic roads and parkways.

This would seem to mean that a prairie park in Kansas is not yet out of the picture although the site first projected for Pottawatomie County failed to materialize. Udall has never lost his interest in such a park.

The Government, he said, is vitally interested in preserving for public use and enjoyment representative segments of the country's once vast undeveloped plains and prairie lands, together with their historic sites and outdoor recreation resources.

The proposed parkway in this State already has been fairly well defined if the wishes of Kansans prevail. It would be a moving panorama of the grasslands of the State, meaning principally the blue stem area. The route would enter the State from Oklahoma in Chatauqua County and follow an irregular course northward as it touched Elk, Greenwood, Butler, Chase, Morris, Wabaunsee, Pottawatomie, Riley, Geary, Marshall, and Washington Counties.

The short grass counties might have something to say about the tall grass areas hogging the route. In the light of the Interior Department's enthusiasm this dilemma, should it arise, would be easily solved. Provide two parkways.

Mr. PEARSON. Mr. President, it is not the intent of this bill to embark on a major program of land acquisition of the Prairie National Park proportions considered earlier. However, it is my hope that through careful routing of the parkway, by judicial use of scenic easements, and in cooperation with State agencies and individual landowners, that significant portions of this beautiful and historic area can be preserved for the benefit of those who find in it education, inspiration, and recreation.

I ask, Mr. President, that the text of this bill be included in full at the end of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1818) to provide for the establishment and administration of the Great Prairie Parkway in the State of Kansas, introduced by Mr. PEARSON, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 1818

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to present and interpret for the benefit, education, and enjoyment of the people of the United States the remaining vestiges of true or tall prairie and associated wildlife, and the frontier experience in the settling of the West, and in order to portray contemporary ranching and agriculture in the great prairie region, the Secretary of the Interior may acquire by donation, purchase with appropriated or donated funds, or otherwise, a right-of-way traversing a generally north-south route in the State of Kansas and construct thereon the Great Prairie Parkway. The right-of-way may vary in width, but may not average more than 125 acres per mile in fee simple plus not more than 25 acres per mile in scenic easements.

Where the right-of-way traverses Federal lands, the head of the Department having jurisdiction over such lands may transfer them to the Secretary without transfer of funds.

SEC. 2. When the State of Kansas, a political subdivision thereof, or any Federal agency has recreational programs that are planned or in operation in the vicinity of the parkway, the Secretary may enter into agreements under which he may coordinate the development and administration of the parkway with such programs. When the public use of the parkway will benefit thereby, the Secretary may construct roads or trails over lands under his jurisdiction as may be necessary to carry out the purposes of this section.

SEC. 3. The Secretary shall administer the Great Prairie Parkway in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and in accord-

ance with other laws of general application relating to areas administered by the Secretary through the National Park Service, and in accordance with statutory authority otherwise available to the Secretary for the conservation and management of natural resources which he finds will further the purposes of this Act.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

INCREASE IN SOCIAL SECURITY EARNINGS LIMITATION

Mr. RANDOLPH. Mr. President, I introduce, for appropriate reference, on behalf of myself and my colleague from West Virginia [Mr. BYRD], a bill to amend title II of the Social Security Act. This proposal would alter existing law to the effect that social security recipients could earn up to $1,800 per year without loss of benefits payable under the system. Recipients with incomes between $1,800 and $2,400 per year would forfeit $1 in benefits for every $2 of earnings. For those earning more than $2,400 annually the provisions of present law would continue in force, with each dollar of earnings bringing an equal forfeiture in benefits.

The impact of such a liberalization of the earnings limitation could be of considerable significance to thousands of older Americans. It could promote an increased sense of self reliance and independence, and would undoubtedly encourage a happier, more fulfilling way of life.

There is ample evidence that Members of Congress, and citizens generally, are becoming increasingly aware of the need for a liberalization of these earnings limitations. One accurate indicator is the large number of bills for this purpose which have been introduced in the House and the Senate during recent years.

The Subcommittee on Employment and Retirement Incomes of the Senate Special Committee on Aging has also been active in this area. As chairman of the Subcommittee it was my responsibility to hold hearings on aspects of the employment problems encountered by senior citizens. After careful evaluation of all testimony received it was one of the subcommittee's recommendations that "the amount of earnings which can be received by a recipient of old-age insurance benefits without loss of benefits be increased to a more realistic level."

Mr. President, I am convinced that the limitations set forth in the bill which I introduce today would do just that: increase allowable earnings to a more realistic level. I ask that the bill be received and appropriately referred.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1820) to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title, introduced by Mr. RANDOLPH (for himself and Mr. BYRD of West Virginia), was received, read twice by its title, and referred to the Committee on Finance.

ADDITIONAL JUDGES FOR THE COURT OF APPEALS FOR THE SIXTH CIRCUIT

Mr. GORE. Mr. President, I introduce, for appropriate reference, a bill to provide for the appointment of three additional judges for the Court of Appeals for the Sixth Circuit. I ask unanimous consent that the bill remain at the desk until Friday midnight for additional sponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk, as requested by the Senator from Tennessee.

The bill (S. 1824) to provide for the appointment of three additional judges for the Court of Appeals for the Sixth Circuit, introduced by Mr. GORE, was received, read twice by its title, and referred to the Committee on the Judiciary.

RECOGNITION OF WHITEHALL, N.Y., AS BIRTHPLACE OF THE U.S. NAVY

Mr. JAVITS. Mr. President, I submit, for appropriate reference, a concurrent resolution proposing the recognition of the village of Whitehall, Washington County, N.Y., as the birthplace of the U.S. Navy. A similar resolution has already been introduced in the House by Representative CARLETON J. KING, of New York.

It was at Whitehall, N.Y., then called Skenesborough that 12 of the 15 warships were built to enable the American forces to engage in the crucial naval battle on Lake Champlian in October 1776, during the Revolutionary War. Although the infant American Navy was defeated in the 3-day battle, the engagement delayed the British Redcoats invasion plans for a full year.

This was made possible only because the people of Whitehall and scores of craftsmen brought to that village from many colonies, were able to turn the oaks of the surrounding forests into fighting ships in just 52 days. The role of the village of Whitehall in this historic naval battle—the first after the Declaration of Independence—is worthy of recognition.

The resolution follows:

Whereas it is generally believed that Whitehall, Washington County, New York, formerly Skenesborough, can well be considered the birthplace of the United States Navy, as twelve of the fifteen ships that took part in the Battle of Valcour in October 1776 were built in its harbor; and

Whereas this fleet was constructed after the Declaration of Independence and engaged in the first naval battle after the Colonies asserted their unity and independence; and

Whereas the Battle of Valcour, though dimmed by the glamour surrounding the Battle of Saratoga, nevertheless played a very important part in shaping the destinies of the Colonies by forestalling early invasion of the Colonies from the north; and

Whereas Whitehall's place in history had not heretofore been given the recognition it justly deserves for the contribution made by it in shaping the early destiny of our beloved country: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States hereby recognize the Village of Whitehall, Washington County, New York, as being the birthplace of the United States Navy.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 33) was referred to the Committee on Armed Services.

PROTOCOL FOR THE EXTENSION OF THE INTERNATIONAL WHEAT AGREEMENT, 1962—REMOVAL OF INJUNCTION OF SECRECY

Mr. MANSFIELD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive B, 89th Congress, 1st session, a certified copy of the Protocol for the Extension of the International Wheat Agreement, 1962, and that the protocol, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of the Protocol for the Extension of the International Wheat Agreement, 1962, which is open for signature in Washington from March 22 until and including April 23, 1965.

The International Wheat Agreement, 1962, to which there are presently 49 parties, including the United States, will expire by its own terms on July 31, 1965. In order that the International Wheat Council may continue as a functioning body and in order to allow time for the consideration of a new agreement adequate to deal with marketing problems, it is proposed that the operation of the 1962 agreement be extended for 1 year, until July 31, 1966. That is the sole purpose of the proposed protocol, which was formulated at a meeting of the International Wheat Council on February 4–5, 1965.

I transmit also, for the information of the Senate, the report of the Secretary of State regarding the protocol. Attention is invited particularly to the last paragraph of that report. It is my hope that the Senate will find it possible to give early consideration to the protocol so that, if the protocol be approved, ratification by the United States can be effected and an instrument of acceptance deposited by July 15.

The Departments of State, Agriculture, and Commerce concur in the recommendation that the protocol be transmitted to the Senate.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 23, 1965.*

AMENDMENT OF HOUSING AND URBAN DEVELOPMENT ACT OF 1965 (AMENDMENT NO. 99)

Mr. LONG of Missouri. Mr. President, on behalf of the senior Senator from Missouri and myself, I send to the desk an amendment to S. 1354, the Housing and

Urban Development Act of 1965, and request that it be appropriately referred. The amendment is designed to extend Federal grant assistance to certain municipalities for water and sewerage construction which would not otherwise qualify for such assistance under the bill as it is presently written.

The VICE PRESIDENT. The amendment will be received, printed, and appropriately referred.

The amendment (No. 99) was referred to the Committee on Banking and Currency.

ADDITIONAL COSPONSORS OF BILLS

Mr. NELSON. Mr. President, I ask unanimous consent that the name of the Senator from Maryland [Mr. TYDINGS] be added as a cosponsor of the bill (S. 1479) to amend the Federal Water Pollution Control Act in order to establish a program to decrease water pollution by synthetic detergents at its next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I ask unanimous consent that the name of the Senator from Maine [Mr. MUSKIE] be added as a cosponsor of the bill (S. 362) to amend title 23 of the United States Code (relating to highways) in order to authorize appropriations to assist the States in the purchase of lands and easements for scenic purposes along Federal-aid highways at its next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I ask unanimous consent that the names of the Senator from Idaho [Mr. CHURCH] and the Senator from Pennsylvania [Mr. CLARK] be added as cosponsors of the bill (S. 1643) to provide that tires sold or shipped in interstate commerce for use on motor vehicles shall comply with certain safety and labeling regulations at its next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Mr. PELL. Mr. President, as chairman of the Senate Special Subcommittee on Arts and Humanities, I have been greatly encouraged by the volume of favorable mail I have been receiving in regard to S. 1483, the administration bill to provide for a National Foundation on the Arts and the Humanities, which I had the privilege of introducing in the Senate on March 10.

S. 1483 has been transmitted to the many illustrious witnesses who testified before the subcommittee during 7 days of public hearings between the dates of February 23 and March 5. I am very pleased to report that the reaction, broadly representative of excellence in our cultural life, has been favorable and enthusiastic toward the concepts and objectives of S. 1483.

The following members of the subcommittee have expressed their desire to join as cosponsors of S. 1483, at its next printing: Senators YARBOROUGH, WILLIAMS of New Jersey, CLARK, and KENNEDY of Massachusetts.

Senator GRUENING and Senator JAVITS, the ranking minority member of the subcommittee, both of whom had previously introduced legislation in this area, joined as cosponsors of S.. 1483 on March 10.

Senators BREWSTER, BYRD of West Virginia, KENNEDY of New York, HARTKE, INOUYE, JACKSON, MILLER, MONDALE, MONTOYA, MOSS, NEUBERGER, RANDOLPH, and TYDINGS have also indicated their wish to be listed as cosponsors of S. 1483 at its next printing. Every opportunity will be afforded to all interested Members of this body to so join if they desire.

At this time I ask unanimous consent that the distinguished Senators to whom I have just referred be listed as cosponsors of S. 1483 at its next printing, together with Senators WILLIAMS of New Jersey, CLARK, and KENNEDY of Massachusetts. Senator YARBOROUGH so joined as a cosponsor on March 11.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. PELL. I am hopeful that legislation to stimulate the development in the United States of the two broad and interrelated cultural areas, the arts and the humanities, can be given early consideration by the Senate. I am now working to prepare for an executive session of the subcommittee in the near future.

Let me add also, Mr. President, that I have been encouraged by the attention these legislative objectives have been receiving in our Nation's press. In contrast to previous years, it is gratifying to note that the legislative concept of an independent national foundation to benefit the arts and humanities has been making front-page news.

In regard to press comments, I would like to call attention to a recent article by Frank Getlein, art critic of the Washington Star; an editorial in the Virginian-Pilot of Norfolk, Va.; and an article by Henrietta and Nelson Poynter from the St. Petersburg Times in Florida.

Mr. Getlein's article pertains to the "Eyewitness to Space" exhibition recently on display at the National Gallery of Art and shows how cooperation between our Government and the arts can illuminate some of the most exciting moments in our important explorations in space.

The editorial suggests beneficial programs which the proposed Foundation could support. The article from the St. Petersburg Times refers to the meaningful opinions of Dr. Barnaby C. Keeney, president of Brown University, in my home State of Rhode Island. As chairman of the Commission on the Humanities, Dr. Keeney gave significant impetus to the legislative concepts which are now before the Congress. His views on how we can best use the increase in leisure time, which our technological advances are more and more producing, are particularly thoughtful.

Therefore, I ask unanimous consent that the two articles and the editorial, to which I have referred, be inserted at this point in the RECORD.

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

[From the Washington Star]

"EYEWITNESS TO SPACE" EXHIBITION OPENS AT NATIONAL GALLERY OF ART

(By Frank Getlein)

During the last 2 weeks Senator PELL has been conducting hearings on the arts and whether the Government of the United States should join the rest of civilization in recognizing their existence. Among those who feel such a course would be dangerous me-too-ism, some maintain that corruption of art would be the inevitable and immediate result of any such recognition. They feel that if the Government spent money on art it would at once enforce a strict discipline upon artists, somewhat along the lines of socialist realism in the Soviet Union, where the artist's life is more respected and more lucrative than it is here, but where, also, the function of the artist is solely to serve the immediate interests of Government policy.

By a happy happenstance the National Gallery of Art this very day opens to public view a fascinating exhibition that should put such fears to rest. "Eyewitness to Space" is the collective name of 70 paintings and drawings produced by 15 artists under the NASA art program, now 2 years old. The work shows total freedom and a wide variety, ranging from the superb illustrationist's style of Paul Calle to the highly individual abstraction of Washington artist Alfred McAdams.

DIRECTED BY DR. COOKE

There has obviously been no attempt whatever to enforce, or even to suggest, any particular desired direction. The reason for this is that NASA had the great good sense to get the National Gallery's curator of painting, H. Lester Cooke, to run the program. Dr. Cooke is himself an artist and has shaped the program to the end of using the professional sensitivity of artists to what is set before them. The space effort, therefore, from Huntsville to the launching apparatus at Cape Kennedy, to the pickup system in the Pacific, is covered at once as a set of visual phenomena and an immensely varied set of artistic responses to those phenomena.

Within the limits of safety, the Cooke's tour for artists includes everything, and everything finds its way into the pictures. The procedure is to invite artists singly or in small groups to the Cape a few days before a launching. They roam around the place, observe everything, sketch freely and, usually, go back home to make oil paintings of what they have seen.

In the present showing, three of four artists stand out as having handled the assignment brilliantly. One is Washington's Mitchell Jamieson, especially in two oils; a full-length portrait of Gordon Cooper after recovery in the Pacific, the surface divided by sweeping arcs, the face recalling another Pacific figure breathless on a peak in Darien; and a night scene at the Cape, in which the gantry structures with their lights strangely recall the effect of stained glass in an old cathedral.

PROGRAM DESERVES STUDY

Lamar Dodd is seen in an eerie interior of a capsule with astronaut, the supine figure all but lost in the dials and levers around him; and a Pinanesi-like view of a gantry interior, looking down from level to level surrounding the great cylinder.

George Weymouth, an Andrew Wyath relative, employs the dry water color technique associated with Wyeth for stunning views of the Florida sand and grass, with space equipment present almost as an intrusion or afterthought. Masterful water color in themselves, in this context his pictures recall an

aspect of the whole space effort that is easily lost sight of, the endurance of the earth itself.

The NASA art program is a modest step but a carefully made one in the gradually reemerging relationship between American art and the American Government. It deserves study by those interested in the larger problem.

[From the Norfolk Va., Virginian-Pilot, Mar. 12, 1965]

THE ARTS AND GOVERNMENT

The arts and Government have been like the gingham dog and calico cat in the past. They were, and are, and will be mutually mistrustful. And so they ought to be, up to a certain point. The arts of creativity and the arts of compromise are incommensurate in practice and in purpose. Where the Government has no place is in the performing of the arts, but it has a place in supporting and stimulating them. And the arts, of course, serve to enrich the lives of the people, which is Government's purpose too. However little they have in common in ways and means, the arts and Government have a common end in the largest sense. If President Johnson's proposal to create a National Foundation for the Arts and Humanities does no more than end the old taboos, it will be a major step.

And it promises to do much more than that. The Foundation would parallel the National Science Foundation established 15 years ago to encourage research in the sciences. Under the bills introduced by Senator CLAIBORNE PELL, Democrat, of Rhode Island, and Representative FRANK THOMPSON, Jr., Republican, of New Jersey, the Foundation would be "two headed," with a national endowment for the arts and a national endowment for the humanities created separately. A Federal Council on the Arts and Humanities would coordinate the activities of the two endowments and existing Government agencies. Each endowment would be given $5 million in fiscal 1966 and authorized another $5 million in matching funds to attract contributions from foundations and private sources. Grants to individual artists, and scholars, as well as to groups, such as a symphony or theater, would be authorized to create conditions under which the arts and scholarship could flourish.

The arts may begin with the individual, but they are also a community responsibility and a national resource (as the State Department has recognized in sending individuals and troupes on overseas tours). The cultural explosion, so called, is a reality in the United States. A new public has been created by technology; art books and prints have become an extension of the museum; the concert hall has been brought into the home on records and tapes; and new opportunities in the theater have been opened through TV. There are some 750 opera groups and 1,400 symphonies in the country today. Many statistics could be cited to make the obvious point.

Local governments are starting to support the arts on the local level. Many musical organizations are partially subsidized by communities. Cultural centers are being built with public funds on sites made available through urban renewal. In Norfolk, the City supports an arts festival and the Norfolk Museum. The Artmobiles of the Virginia Museum of Fine Arts carry a mobile museum to all corners of the State.

There is a broad area in which the Federal Government may work: the underwriting of tours that will bring live performances to areas that do not often see them, the construction of cultural facilities; the development and encouragement of individual talents through grants and experimental programs, the financial support of national organizations such as the Metropolitan Opera, the improvement of programs in the arts in the schools. The arts belong in the Great Society.

[From the St. Petersburg (Fla.) Times, Mar. 28, 1965]

CAN MAN LIVE BY TECHNOLOGY ALONE?

(By Henrietta and Nelson Poynter)

The shock of Sputnik I forced us to reexamine and rebuild our scientific education. We have come a long way since 1957 and now the Congress and the President are asking if man can live by technology alone.

The answer they offer is the establishment of a National Foundation for the Arts and Humanities, to parallel the National Science Foundation in breeding an American culture which can boast of its philosophers as well as its physicists, historians, musicians and sculptors as well as its chemists and engineers. If we can train men's bodies to face weightlessness, they say, we should train their minds to create a culture equal to our achievements in space.

Webster's New World Dictionary describes the humanities as encompassing the branches of learning concerned with human thought and relations, as distinguished from the sciences. And the report of the Commission on the Humanities, which paved the way for this legislation adds eloquently: "Through the humanities we may seek intellectual humility, sensitivity to beauty and emotional discipline. By them we may come to know the excitement of ideas, the power of imagination, and the unexpected energies of the creative spirit."

In combining the proposals for the furthering of arts and humanities, more than 100 congressional sponsors of the bills feel that it will help create an atmosphere where culture will flourish, help to educate better teachers to instruct a new generation and provide a sense of history on the thesis that "humanities may also be the study of the past to create the future."

There has been some argument about broadening education in the arts and humanities since 88,000 out of 228,000 bachelor's degrees conferred in a year have been in this area—which the critics consider a proper proportion. But while other fields garnered 7,000 doctorates in the same year, only 1,800 were conferred in the cultural departments. This means that there will not be enough first-rate teachers in the next decade, that they will be overworked as compared with their scientific colleagues and that undergraduates will be less well taught.

With longer vacations and sabbaticals, shorter workweeks and earlier retirements ahead, there is a strong belief that we must educate ourselves and our children to use leisure profitably and properly. Dr. Barnaby C. Keeney, president of Brown University who headed the study project on the humanities interprets it somewhat differently. He says:

"The real problem is not the utilization of leisure, important as that may be, but rather the development of an ethic and an outlook appropriate to new circumstances. We have now an ethic in which work is equated with virtue. Before long we shall have to develop one in which not to work for a living and to be content in leisure is as virtuous as labor itself. This will require hard thinking by some well-trained philosophers who have competence outside the area of symbolic logic. We are going to need those philosophers very badly. The use of the freed time is more important than its existence. We can employ it trivially or constructively. Despite the interesting work of intellectual primitives, most enduring literature and art are the product of individuals who possess a body of human knowledge about which to think, or write, or paint, and most social advance is accomplished by persons who know the society and the background."

Add to this reasoning for the academics and the really creative people, the need for channeling volunteers into worthwhile endeavors and the cause becomes even more vital. For the days of the "Lady Bountiful" type of charity are over and men and women who give their time and energy to worthy projects must be trained for the job and get real satisfaction from it. The docent program at the Museum of Fine Arts in St. Petersburg and the indoctrination sessions of the League of Women Voters are examples of what other groups must do in the future.

Americans travel across the ocean to see the Vienna Opera, which their money rebuilt, and La Scala at Milan. They trudge appreciatively through the Louvre and the Uffizi. They applaud vociferously for Margot Fonteyn and the Royal Ballet and the Moscow ballet, the Danish and the Swedish. And all of these are maintained by public funds, for the appreciation of the public. In Great Britain alone, $25 million a year is spent on the arts.

Yet, a couple of weeks ago, the House of Representatives of the United States refused to confirm an annual appropriation of $150,000 for the Arts Foundation it voted into being almost unanimously last year. It lost by three votes and four Floridians were in the opposition. We are glad to report that Representative WILLIAM C. CRAMER, Republican, of St. Petersburg, and Representative SAM GIBBONS, Democrat, of Tampa, were not among them.

The new administration bill for the arts and humanities has a broader base, and from the bipartisan sponsorship and the testimony at hearings, seems to have broader support, partly because the money involved is not great and the educational aspect is emphasized.

When the voting rights bill is out of the way and the Easter solstice is over, you can expect to hear more about providing a cultural base for Americans, from Capitol Hill.

STRENGTHENING UNIVERSITY PARTICIPATION IN TECHNICAL ASSISTANCE

Mr. McGOVERN. Mr. President, on February 19, I introduced, for myself and 13 cosponsors, Senate bill 1212, intended to strengthen the ability and the role of our colleges and universities in our foreign technical assistance programs. I now ask unanimous consent, Mr. President, to add a cosponsor, the senior Senator from New York [Mr. JAVITS], and request that his name be added on the bill when it is next printed.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. McGOVERN. Mr. President, at the time of introduction, I had consulted on the measure with a few university leaders; and I quoted to the Senate appraisals of the bill by educational leaders, including President O. Merideth Wilson, of the University of Minnesota; Dr. Richard A. Harvill, of the University of Arizona; and Vice President R. L. Clodius, of the University of Wisconsin.

Two months have now elapsed since the measure was introduced; and it has brought an extremely gratifying response from the educational world. College and university officials are writing me daily that the measure will meet, as was intended, the difficult problems involved

in training personnel, conducting research, and staffing technical-assistance undertakings.

The executive committee of the Association of State Universities and Land Grant Colleges has endorsed the bill in principle, as has its international affairs committee. A special committee is now being organized to review and assist with the measure.

Following a meeting of the Board of Education and World Affairs, which has foundation support in facilitating the recruitment and exchange of scholars, President John Hannah, of Michigan State University, and Dr. William Marvel, of Education and World Affairs, called on me, to assure the support of that group.

I have been advised that a number of schools of public health, working on health problems in the developing nations, have taken action in support of the bill.

In recently going through my correspondence, I laid aside several letters from which I have excerpted the comments of deans, directors of international affairs programs, and other university officials. I ask unanimous consent, Mr. President, that these representative comments on the bill be printed in the RECORD.

The response of the university people, who are familiar with the successful working in the agricultural field of the Hatch Act, upon which Senate bill 1212 was patterned, is, of course, very gratifying, for this is a field in which we have great opportunity to help shape the character of the world in which our generation and posterity will dwell.

In his foreign-aid message to Congress, President Johnson said:

> We must bring to bear on the problems of the developing world, the knowledge, the skills and good judgment of people from all walks of American life.

He added, in relation to food problems:

> We can and must mount a more comprehensive program of technical assistance in agriculture engaging the U.S. Department of Agriculture, our State universities and land-grant colleges, and the most creative of our people in agriculture, marketing and industry.

My pleasure in the response to Senate bill 1212 is in the encouragement the response gives and the verification it offers to my belief that the adaptation of the Hatch Act formula to college and university technical-assistance work abroad offers a means of greatly strengthening their efforts in this peaceful, constructive approach to world problems and helping to meet the need President Johnson has pointed out.

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

COMMENTS ON S. 1212

University of Arizona: "This bill, if enacted and activated, would go a long way in offsetting a very serious deficiency in university overseas programs."

State University of Kansas: "We were pleased regarding your bill, S. 1212, and would like to commend you for this action."

University of Minnesota: "The McGovern bill is clearly a step in the right direction. It will provide the underpinning for an all essential fourth dimension for our universities. In turn, then, the universities can provide services for the nation and the world, like those which for 100 years the three dimensional land grant colleges have provided to aid the development of rural America."

Montana State College: "We think the legislation proposed in S. 1212 would be an important step in university-government operating relations in the field of foreign economic development."

University of Nebraska: "Your bill S. 1212 has merit. It would help to alleviate some of the problems we have encountered with the present contract program * * * one of the most difficult problems we face in our contracts with AID is that of recruiting qualified personnel on a short-term basis."

University of Nevada: "If I may be permitted to express a personal opinion, I should like to indicate my complete approval of the bill you have introduced. I believe your proposals would improve the foreign aid program tremendously and that you are suggesting a program that would be quite workable because of the similarity to existing institutional arrangements which are quite successful."

Cornell University, of New York: "We hope a favorable response will come to this important proposed legislation."

Maxwell School, Syracuse University, New York: "Strongly urge passage of S. 1212 to strengthen and improve foreign technical assistance through American universities. Our long experience with international training, research, and development definitely supports your imaginative proposal to utilize universities better in improving foreign assistance programs of the United States."

Ohio State University: "We believe that this is a forward-looking bill and will do much to increase the effectiveness of colleges and universities in international programs."

Pennsylvania State University: "We are pleased to see the introduction of a bill, S. 1212, that would facilitate participation in programs of assistance to developing countries."

South Dakota State University: "We think your efforts to strengthen university cooperation in the field of international technical assistance programs is highly significant. S. 1212 should prove helpful in longtime followup contacts between U.S. universities and educational institutions in other countries."

Washington State University: "Such legislation will do much to improve our ability to make contributions in the development of the economies of underdeveloped areas. It also will strengthen our program at home by providing a much improved means of integrating such activities into the long-term programs of our universities."

University of Wisconsin: "This legislation would materially assist universities in developing more effective training programs for future leaders in developing nations."

LIBERALIZATION OF SOCIAL SECURITY ACT RELATING TO DISABILITY INSURANCE FOR THE BLIND—ADDITIONAL COSPONSORS OF BILL

Under the authority of the order of the Senate of April 13, 1965, the names of Mr. BAYH, Mr. BOGGS, Mr. CANNON, Mr. CLARK, Mr. COOPER, Mr. CURTIS, Mr. FANNIN, Mr. FONG, Mr. GRUENING, Mr. JACKSON, Mr. KENNEDY of Massachusetts, Mr. LONG of Missouri, Mr. MOSS, Mr. MUNDT, Mr. NELSON, Mr. PASTORE, Mr. RIBICOFF, Mr. SCOTT, Mr. SIMPSON, and Mr. WILLIAMS of New Jersey were added as additional cosponsors of the bill (S. 1787) to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes, introduced by Mr. HARTKE (for himself and other Senators) on April 13, 1965.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. HARTKE:

U.S. Department of Agriculture release on tornado area food distribution by Charles A. Howell, of Hagerstown, Ind.

THE MEN WHO PRODUCE SILVER

Mr. JORDAN of Idaho. Mr. President, the State of Idaho produces more silver than any other State in the Nation. For the past few years the shortage of silver has promoted extensive debate, statements and articles, countless pages of the CONGRESSIONAL RECORD to the end that its national and international repercussions and complications have been acutely defined.

But in this abundance of information little has been said about the men who mine this precious metal. Fortunately this oversight was corrected on April 12 in a National Observer feature article by Mr. Harold H. Brayman. In my estimation this writer has done an excellent job of conveying the difficult conditions under which silver is mined and of portraying a picture of the rugged men who mine it. Mr. President, I ask unanimous consent to have this article printed in the RECORD at this point and commend it to the consideration of my colleagues.

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

THE SUNSHINE MINE AND A DWINDLING VEIN: WHY U.S. COINS MAY LOSE THE CLINK OF SILVER

KELLOGG, IDAHO.—This is silver country. Beneath the snowy hills here, a 90-minute drive east of Spokane, Wash., miners scoop about half the Nation's silver production from the earth.

It's a hard, dirty, and sweaty task for Russ Trexler, with a snuff can stuck under a rubber band around his hard hat, for bearded Jerry Lawley, and for men like them. But it is work that lies at the core of a coming national debate. The Treasury Department will send Congress, probably this month, its findings of a year-long study recommending changes in the amount of silver to be used in future U.S. coins.

Two possible suggestions: Cut the silver content of dimes, quarters, and half dollars to as low as 30 percent, from the current 90 percent (the other 10 percent is copper), or —more likely—eliminate silver entirely in favor of copper coins that are capped with outer layers of a compound of copper and nickel. The object is to conserve America's dwindling silver supply.

The Treasury study has focused attention on the importance of silver. But the furious, around-the-clock activity at a half-dozen mines near here testifies to more than the metal's importance in coinage. Silver continues to be in demand by the silverware and jewelry industries, but it is also sought by countless other industries. Because it conducts electricity and heat better than any

other metal, for example, the electrical and space industries find it essential; Eastman Kodak relies on silver for film products, using nearly as much every year as is produced in the United States.

IN THE SUNSHINE STATE

Free world mines produce about 215 million ounces of silver a year, with U.S. mines accounting for 36 million ounces, and Peru, Mexico, and Canada each producing about the same amount. But free world mints and industries consume more than 500 million ounces annually. As a result, U.S. Treasury stocks declined by 364 million ounces last year. In the first 3 months of 1965, stocks fell another 144 million ounces, with the April 1 Treasury supply a bare 1,074 million ounces—enough to last 3 years if demand goes unchecked.

To examine the shrinking supply from its source, I pulled on a pair of white coveralls and rust-colored boots, donned a yellow hard hat with battery-powered miner's lamp, and trekked through the Nation's largest mine producing primarily silver. The Sunshine Mine, owned by Sunshine Mining Co., is a mile or so up Big Creek Canyon from Kellogg and this year will account for a sixth of the Nation's domestic silver production.

The silver for a dime or a piece of jewelry comes from a spot like the 3,850–11 stope, so designated because the tiny cavern was hewn by miners working from a tunnel 3,850 feet below the mine entrance in the No. 11 chute.

I climbed a ladder, then went up a slanted tunnel into an area barely high enough to stand in. While I wiped mist and sweat from my glasses, John A. Brandon, the mine superintendent, grabbed a compressed-air hammer and rammed it against a dusky wall ribboned with orange and black rock. The jackhammer bit into the wall with a roar.

A GRASSROOTS VEIN

"We'll drill a dozen like this, pack them with dynamite, and blow out the rock," he explained. "This stope will produce maybe 250 tons of ore before we're through in another week or two. When we do finish here, that will be the end of the Sunshine vein."

He made the statement without emotion, but there must have been a touch of nostalgia in his mind. The vein, as its name indicates, made the Sunshine mine. It was discovered as a grassroots vein a few yards west of Big Creek by a couple of prospectors late in the 19th century. The spot is now covered by the mine's parking lot.

These prospectors and the miners who followed dug deeper and deeper into the earth, until the Sunshine vein began petering out at 3,700 feet underground. But in their quest, they drove tunnels into other veins, such as the Chester, which starts at 3,100 feet below the level of Big Creek. The Chester vein is now the mine's prime source of ore.

Altogether, the Sunshine Mine has produced some 210 million ounces of silver—more than all the silver extracted from the fabulous Comstock Lode in Virginia City, Nev.

Back in the tunnel at the 3,850-foot level, we walked along the tracks for the battery-powered ore trains under 14-by-14 timbers and metal slabs used to support the tunnel. Mr. Brandon stopped and lifted a hatch in the tunnel floor.

THE BIGGEST WE'VE HAD

"Climb on down," he said, pointing into a black shaft. "This is the 4,000–531 raise, which we can take down to the 4,000 level." The descent down the raise—mining terminology for a working shaft off which a stope shelf is carved—wasn't as harrowing as it might sound, even for an acrophobe.

Halfway down, two men were working in a stope that Mr. Brandon calls "the biggest we've had in 4 years. We're about two-thirds done here. We should get 10, maybe 11,000 tons of ore at about 40 ounces to the ton when we're through in 6 months."

Despite lodes like 4,000–531, silver is a perverse ore. It does not come in long continuous veins, as many other ores do. Rather the vein skips about—a small pocket of rich ore here, another there, and possibly hundreds of feet of barren rock between "There's just no continuity to these veins," Mr. Brandon complains.

In the rich 3,850–11 stope, 800 ounces of silver comes to a ton of ore. But rich lodes like that are offset by low grade—but usable—ore. On the average, the Sunshine gets 36 ounces (a bit over 2 pounds) of silver from each ton or ore it mines.

From each of the 664 tons of ore, the Sunshine Mine processed on a recent day, it gleaned about $45 in silver, 64 cents in lead, $6.70 in copper, and $6.60 in antimony, used to harden lead for batteries and as a flame retardant in paints.

WHERE DOLLARS COME FROM

To process the ore, the Sunshine's mill, built into the hill above Big Creek, grinds the large chunks of ore into sand. Petroleum bubbles through, carrying off the silver-laden particles. "This is where your silver dollars come from," remarked Leon Barr, assistant mill superintendent, pointing to a rotating drum as the black, slimy concentrate peeled off.

A ton of this concentrate, shipped for refining to a smelter in East Helena, Mont., contains 100 pounds of silver, 600 pounds of copper, 200 pounds of lead, and 1,100 pounds of waste. The antimony is handled separately.

These proportions demonstrate another problem of silver mining. Geologically, silver is an "impurity" in other ores, often copper. Silver's presence is relatively insignificant in comparison with the amount of adjacent base metals. The result: "There is no geophysical method of discovering deep-seated silver ore from the surface," says John Edgar, vice president of Sunshine Mining Co. "You can tell from the surface that copper may be there; you just hope there's also silver."

To get at pockets of ore, the Sunshine has carved 115 miles of crosscut tunnels, which cut through barren rock, and drifts, which are tunnels along the vein patterns. From these drifts, miners make diamond drillings into the rock to check the vein, then follow it upward by gouging a raise, such as the one I climbed down to the 4,000-foot level.

Silver mining is filthy and wet; but mostly it's hot. Many miners work shirtless, occasionally gobbling a red salt tablet to offset perspiration. Ventilation becomes an increasing problem as the Sunshine digs deeper: Mr. Edgar figures the heat in the mine rises a degree for every 125 feet the workmen go deeper. Rock temperatures are close to 100° at the current base of the mine, 4,600 feet, which is 2,000 feet below sea level.

AIR CONDITIONING NEEDED

"Sometime after the mine passes the 5,000-foot level a few years from now, we'll have to install mechanical refrigeration to replace the compressed air pumped in to cool the drifts and stopes now," Mr. Edgar notes. Mechanical refrigeration would add to another, if lesser, discomfort: Water.

A bit of water runs out of drinking hoses and seeps from the damp sand used to pack into stopes after excavation to give the mine stability and reduce dangers of collapse. But it's enough to turn many tunnel floors into mud. Riding the open metal elevator up No. 10 shaft, I was drenched by water pouring down the shaft.

The Sunshine is unlikely to increase its silver output. "We are operating now at optimum capacity," Mr. Edgar declares. "Our hoists can only carry up so much rock every day." The Sunshine will produce more silver this year than last, when it turned out 4,650,000 ounces of silver it sold for $5,500,000, plus other metals selling for another $900,000. But last year's production was down because the mine was shut down by a United Steelworkers strike for 3 months.

Despite the Sunshine's major role in silver, about 70 percent of the silver mined in the United States comes as a dividend in mining copper, lead, and zinc. A big open-pit copper mine in Utah may get $5 or so in copper for every ton it extracts, and a few pennies of silver. Because its production tonnage is huge, its silver output is considerable. But no economic education is needed to see the mine can't boost production to get more silver without threatening to glut the copper market.

Aggravating the problem of silver are intangibles and collectors. Two million or so Americans collect ("hoard" might be a better word) coins. They stashed away nearly all the 73 million ounces of silver the Treasury turned over for minting of Kennedy half dollars last year.

To meet the demands of collectors, as well as those of a growing population and the booming $3.5 billion vending machine industry, the mint will make 8 billion new coins this year, double the record 1964 production, which consumed 203 million ounces of silver.

A BOOST TO HOARDING?

If the Treasury eliminates or cuts the silver content of coins, it would relieve some of the pressure on supplies. But a cut or elimination may touch off renewed hoarding of old coins. And the mint would have to produce just that much more to replace the old coins. Whatever happens, it seems inevitable that world demands for silver eventually will cause a rise in silver prices.

But higher silver prices would only put added pressure on the mint. As soon as the price of silver passes its current level of $1.29 an ounce, a silver dollar becomes more valuable as metal than as monetary exchange. Once the price passes $1.38 an ounce, dimes, quarters, and half-dollars become worth more melted down for their silver than as coins.

For the present, the Treasury's decision will stave off any immediate crisis and hold prices stable. But Congress may balk at elimination of silver in coins; men of considerable political power come from silver-rich and silver-conscious States. Such a man is Senate Majority Leader MIKE MANSFIELD of Montana, who has mused about the silver dollar: "I like to hear it clink and clank. I like to throw it over the counter, and maybe some people on occasion like to throw it on the bar."

HAROLD H. BRAYMAN.

MEXICAN-UNITED STATES RELATIONS

Mr. MANSFIELD. Mr. President, for some years now the tenor of Mexican-United States relations has been steadily improving to the point where today it can safely be said that mutual respect, regard, and good feeling are the outstanding characteristics of these relations. In the last year alone two major and potentially explosive problems were solved to the mutual satisfaction of both countries. That this was possible—that these problems were able to be solved in an atmosphere of friendship and respect—that no big sticks, or threats, or cajoling or under-the-table methods were used by either side—that neither government appealed to extremist elements, nor to emotionalism, nor nationalist groups—that solutions were negotiated, not dictated—that during negotiations all other

contacts and commerce remained normal and unabated, indicates the extent to which mutual respect and friendship prevail. Old-fashioned economic imperialism is an unpleasant but dead part of the past—and traces of it ever having existed are all but extinct. Mexico is a sovereign, vital, progressing nation with unlimited horizons. Her people are intelligent, active, and vibrant. Her social and economic problems—and all nations have them to some degree—are being attacked in a rational and responsible manner by rational and responsible leaders. Mexico is a democratic republic where liberty and freedom is cherished by the people and preserved by the Government.

Mexican history is one marked by a struggle for independence and democracy. Only last week in New Orleans, a bronze statue was erected to the hero of that struggle, Benito Juarez who became President of Mexico in 1855. As President, Juarez led the fight for constitutional government and restored a federal republic after much difficulty and travail. Juarez believed in the greatness of Mexico and respect for human rights, human dignity, and individual freedom. For this he was banished from Mexico. He chose New Orleans for his exile. Benito Juarez dreamed of a great Mexico—a Mexico developed by Mexicans. We have seen that dream become a reality. Today a bright and even greater promise for Mexico's future is in store. And even, perhaps, the fulfillment of his poignant words when he said: "Between individuals as between nations, the respect for the rights of others is peace."

Mr. President, at the ceremony dedicating the statue of Benito Juarez on April 24, 1965, the distinguished Mexican Ambassador to the United States, Hugo B. Margain delivered an outstanding address commemorating the occasion. I ask unanimous consent that the complete text of his remarks be printed at this point in the RECORD.

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

ADDRESS BY H. E. HUGO B. MARGAIN, AMBASSADOR OF MEXICO TO THE UNITED STATES OF AMERICA, ON THE OCCASION OF THE DEDICATION OF A STATUE OF BENITO JUÁREZ, NEW ORLEANS, LA., APRIL 24, 1965

I have come to New Orleans on the proudest of missions: to present to the people of the United States on behalf of the Mexican Government, a statue of Benito Juárez our great 19-century statesman, without whose vision and determination the political structure, social progress, and achievement of modern Mexico, would have been postponed for generations.

The meaning of the role of Benito Juárez in our history stands out like a mountain peak when we recall that Mexico attained the independence from Spain in 1821 completely lacking in political experience. We had no precedents for self-government, nor did we have a precise idea of the form of government best suited to our social and political development. We emerged from a highly centralized colonial administration that permitted no initiative to our people and immediately entered a period of unceasing domestic conflict when members of opposite political parties—liberals on the one side and conservatives on the other—fought for predominance.

The social message and advanced ideas of the father of our independence, the venerable priest Miguel Hidalgo, and of his successor, the brilliant strategist José María Morelos, did not yield fruit in the sense that their impact was not felt in the actual everyday life of our people. The leader who finally succeeded in consummating our independence, Agustín de Iturbide, aspired to strengthen the upper social classes and to increase their privileges and power. Crowned emperor in 1822, he was outlawed and executed 2 years later. Because of Iturbide's failure to follow on the steps of our liberators Hidalgo and Morelos, we do not celebrate the actual consummation of our independence, but remember with profound respect and gratitude the ideology of a movement that culminated in our political freedom. We have never forgotten the principles of human rights defended by the men who pioneered for independence, nor their vision of opportunity and welfare more evenly shared by all our people. These ideals have been incorporated in our Constitution, and are integral part of our modern thinking.

In spite of the continuous domestic strife that darkened the early period of our national life, Mexico repelled an expedition sent to reconquer our country for Spain. The blockade of our ports by the French Navy, in 1833, was another vexation; and two wars, one leading to the independence of Texas and the other to the invasion of our country by American forces, caused the loss of about half of our national territory.

Alarmed by the constant struggle between the existing political parties and the disorder that characterized our political affairs, certain European heads of state representing the great powers of the time, reached the conclusion that Mexico would never be fit for self-government. They felt that it was essential to establish a new form of government conducted by a foreign ruler and supported by foreign armies in order to bring peace to the land.

It was precisely at this moment that Benito Juárez, an Indian statesman born in the tiny village of San Pablo Guelatao in the State of Oaxaca, fully demonstrated Mexico's capacity to maintain and defend its own republican institutions.

As a boy, Juárez served as a shepherd and was illiterate until the age of 12. With the help of a priest he began to study and quickly learned to read and write, because he had a brilliant intelligence. As a young man, he became a lawyer, and later joined the Liberal political party, directed the Institute of Arts and Sciences in Oaxaca, was twice governor of his State, and in 1858 became President of the Republic of Mexico. The example set by Benito Juárez is very real in my country. Every Mexican schoolchild learns that after surmounting tremendous obstacles he became President and saved our Nation and our institutions. Our young people are taught that every Mexican, no matter how humble his origin or how many barriers on his path, can reach the highest positions in our democracy.

With his indomitable courage, his unbending will to save our republican form of government against all odds, and his honesty and clear understanding of our needs, Juárez gained for Mexico the respect of the European powers. They realized that our young Republic was fully able to be a master of its own destiny, and did not need the guiding hand of foreign rulers to reach its goals.

Benito Juárez showed us that our only objective must be the greatness of our Nation, that we must not tolerate foreign interference either in our political affairs or in our economic development and social progress.

We believe that our revolutionary movement of today cannot be fully comprehended without the knowledge of Juárez' contribution to the political and social ideology that made possible the Constitution of 1857, the establishment of boundaries between church and state, and laws pertaining to civil marriage, freedom of worship, and the nonsectarian character of public institutions.

Juárez was the defender of our hard-won independence, and the father of a proud nationalism that inspires us to devote ourselves to the development of the resources of our country for the benefit of the people of Mexico. Along with his insistence on the development of Mexico by Mexicans, Juárez left us a rich heritage in his valiant struggle for the freedom of the individual, and respect for all human rights. Nothing could be more eloquent than his famous pronouncement: "Between individuals as between nations, the respect for the rights of others is peace."

Benito Juárez was twice in New Orleans. The first time he arrived on December 29, 1853, as a weary third-class passenger on a boat that brought him from Havana. Banished by Dictator Santa Anna, who had persecuted him and held him in prison, he was placed on a ship headed for Europe; but when the boat stopped over in Cuba, he decided to come to New Orleans. Here he was welcomed by other exiles: his loyal friends Melchor Ocampo, Ponciano Arriaga, and José María Mata, three of the most important figures in the formulation of plans that culminated in the adoption of the Constitution of 1857, and the Laws of Reform that so strengthened the foundation of our Republic and set the stage for further advance in our own century.

It is natural to imagine the long conversations that Juárez and his friends must have had in New Orleans in dingy boarding houses, on the banks of the Mississippi, in Jackson Park, where they would spend some evenings after visiting the French Market for café au lait and rolls.

Juárez, who came from wretched poverty, reverted to it with characteristic stoicism. Not a word of complaint was ever uttered by Juárez, even when he was obliged to move to a suffocating garret because he could no longer afford lodging in a roominghouse on St. Peter's Street, where he paid $8 a month.

A Negro woman provided board for another $8, but that was too large a sum for a man in his circumstances, and he had to accept an even more precarious life. He slept on a cot borrowed from a Mexican pharmacist, bought 10-cent meals at the St. Charles Hotel, and occasionally fished in the Mississippi not for sport but for food. Whenever possible, he earned a few dollars in a printing shop, and rolling cigars and cigarettes in a wretched house on a street called Great Men. While one of his companions peddled them in restaurants and amusement places, Juárez patiently waited at the corner.

Juárez's daily occupations in New Orleans, when not engaged in such humble breadwinning work, consisted of reading constitutional law, studying colonization plans, reading the newspaper, visiting the post office, and educational and civic institutions. His proudest day was when he was invited by a judge to sit in on a case involving a land grant. His opinion was unanimously approved and he received warm congratulations.

There were also lonely hours, as when he disappeared a whole day to the consternation of the friends who shared his privations, and was discovered that he spent it at the harbor, without a bit of food, watching the ships that docked, and hoping that one of them would bring mail from home.

In June 1855, Juárez returned to Mexico to wage his battle for constitutional government. We may well imagine that it was in this city, in the company of his faithful companions, Melchor Ocampo, Ponciano Arriaga, and José María Mata, that he elaborated many of the ideas later incorporated in the Laws of Reform. From this point

of view, those 18 long months of exile were not barren.

As President of Mexico, Juárez restored our Federal Republican form of government, after toppling a French supported empire, and he made us feel tall in the family of nations, in spite of our ancestral poverty and undeveloped economy. A man of incomparable dignity, he never referred to his days in New Orleans as full of anxiety, discomfort, and loneliness.

Juárez visited New Orleans a second time, in the year 1858. He arrived here on the 25th of April, and departed on the 1st of May for Veracruz. He had become President, but was obliged to establish his government wherever he could. And so, from Guadalajara he journeyed to Manzanillo, where he took a ship bound for Colón. From that port he traveled to Havana, and thence to New Orleans. During this brief stay he stopped at the Hotel Verandah Conti, located, perhaps, not far from this Avenue of the Americas.

He returned to our land to give battle for laws responding to the needs of the time, for institutions worthy of a modern society, for the right of a nation to self-determination, for everything held dear by free men. More than any other leader in our national life, he contributed to extirpate from the soul of our Mexican Indians the fatalism which for centuries placed them on a level of inferiority, accepting as natural and preordained all social, economic, and moral injustice.

And now Juárez comes for the third time to New Orleans, but this time cast in bronze, the metal suggested by one of our major poets as symbolic of the enduring quality of his race. He is here, as visualized by Juan Olaguíbel, one of our finest sculptors, not as a mere gift from one nation to another, but as a reminder to young and old, that the humblest of origins is no impediment to greatness; that poverty of worldly goods can be overcome by spiritual wealth. May those who glance at his serene countenance on this Avenue of the Americas remember that his life was an inspiration to peoples other than his own. Victor Hugo saluted him as the peer of Abraham Lincoln, and the Congress of Colombia, a sister nation, proclaimed him a hero of the Americas.

And now, ladies and gentlemen, in the name of my people, in the name of my government, in the name of the President of the Republic of Mexico, His Excellency Gustavo Díaz Ordaz, and with deep emotion as Mexican Ambassador to the United States of America, I present to the American people and to the city of New Orleans, the statue of our national hero, Benito Juárez. It will remain here for all time to come, as a memorial to a great man of vision and integrity who lived here in exile, thinking only of his people, a man who succeeded in saving his nation from the destructive influence of civil war, and foreign intervention.

We may be sure that Juárez never imagined that his statue would be some day erected by his country in a city where once experienced so much hardship with perfect poise and unwavering faith in the triumph of his cause. May this gift serve to bring to the attention of all peoples the example of a righteous leader devoted to the attainment of the goals most essential to a nation: liberty, dignity, progress.

PRESIDENT JOHNSON'S SPEECH ON SOUTHEAST ASIA

Mr. RANDOLPH. Mr. President, on April 7, at Johns Hopkins University, President Johnson reiterated our objectives in South Vietnam and our intent to stand firm in securing "the independence of South Vietnam and its freedom from attack." He reaffirmed our desire for a peaceful settlement in this troubled area—but only a settlement with sufficient provisions to guarantee for South Vietnam the ability "to shape its own relationships" free from outside interference.

History has proven that any cessation of hostilities must be followed by constructive programs of development. And the President recognized this critical factor in his call for a cooperative effort for development. He has offered the assistance of the United States in eliminating the ancient enemies of poverty, disease, and ignorance in that strife-torn part of the world. Indeed, this is manifest evidence of our willingness to approach the problems in southeast Asia in good faith.

Diplomatically, the President's address was a masterpiece. It is often fashionable to belittle the inadequacy of American diplomacy at the conference table or in public pronouncements on cold-war activities. The initiative which the President grasped in his recent speech refutes any derogations of our diplomatic endeavors.

A recent editorial in the Dallas Morning News eloquently captures this thought and the impact of the President's remarks in foreign circles.

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

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

A POLITICAL DEAL

In the rough-and-ready world of American politics, Machiavelli would have been notable chiefly for his naivete. Considering the sense of timing and skill in swaying public opinion we show in American politics, it is rather ironic that American cold-war diplomacy sometimes seems to be conducted as if we were born yesterday. The early success of the President's Vietnam ploy indicates that may be changing.

Here at home, the speech displayed once again Lyndon Johnson's ability to construct a policy with something for everybody. Texas' two Senators, the conservative TOWER and the liberal YARBOROUGH, both hailed the President's talk.

The conservative Chicago American called it "in essence, a stonewall policy. The Communists may ram their heads against it, as long as they choose, but the wall will stay where it is. Meantime, there is an inviting detour around it—an end to aggression."

The liberal New York Post declared, "The United States has recaptured political and diplomatic initiative * * *. Plainly the tone and substance of the speech represent a major rebuff to those in our midst who have recklessly urged an all-out military adventure in Asia.'

Abroad, the speech won praise from allies who have questioned our policy before. Britain's Prime Minister Harold Wilson said the President's "statesmanlike and imaginative approach" offers the Vietnamese "hope of progress toward peace and economic betterment."

Japan echoed this in an even more meaningful way. It offered to help pay for the economic development program the President proposed.

Diplomats spoke admiringly of the President's skill in offering the Reds an acceptable way to give up the war without losing too much face. Others noted the smoothness in which he shifted the weight of world opinion against continuing the conflict onto the Red leaders in Hanoi and Peiping and made a direct appeal to the people of southeast Asia.

But the finest compliment he has received so far on his propaganda finesse and use of the political stratagem has come from those who are best able to judge their effectiveness: Communist leaders in Peiping.

The howls from these professionals are of the hit-dog variety. Peiping radio declared indignantly that the United States "trumpets peace by word of mouth" to induce the Vietcong to disarm. It pointed out that Johnson "clearly stated" that U.S. forces will not leave South Vietnam and that that country's "puppet government must be assured of its rule."

It noted that the United States made clear it would continue bombing North Vietnam and saw this as a move to force Hanoi to negotiate on U.S. terms. The billion-dollar bonus, it screamed, was "a political deal to weaken the South Vietnamese (for which read Vietcong) people's fight and dissolve the U.S. predicament."

The howls from Peiping's experts at our using a political deal to good advantage may sound humorous, coming from the people who signed the Geneva accords 11 years ago. But they are also the best indication that L.B.J. has struck a nerve.

KANSAS PILOTS LOST IN VIETNAM

Mr. PEARSON. Mr. President, this Nation's struggle against the infiltrating forces of communism in Vietnam may appear to be on the other side of the world to many, but the war has come home to Kansas.

Although Wichita, Kans., is 8,300 miles from Vietnam, death knows no distance. Two pilots permanently stationed at our McConnell Air Force Base in Wichita have lost their lives in Vietnam, and a third is missing in action. The Wichita community has accepted this tragic truth of loss.

Mr. President, I ask unanimous consent to have two articles and an editorial from the Wichita, Kans., Eagle-Beacon, reprinted in this RECORD at this point giving tributes to the two lost Kansas pilots.

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

[From the Wichita Eagle Beacon, Apr. 9, 1965]

BASE PAYS FINAL HONOR TO FALLEN FIGHTER PILOT

(By Steve Sells)

"The joy of flying was part of his life. For him, this is a moment of intense joy."

Lt. Col. Erwin R. Ray, base chaplain, McConnell Air Force Base, spoke Thursday of Maj. Frank E. Bennett, Derby, McConnell fighter pilot shot down Sunday in South Vietnam.

In an eulogy during memorial services at the base chapel, the chaplain said, "I don't think he would have had it any other way. His many medals speak of the caliber of the man and we honor him."

Bennett was awarded the Air Medal, Distinguished Flying Cross and 15 other medals in nearly 20 years of active service.

The chapel was filled with 300 persons, family and friends, officers and enlisted men, many of whom wrote their names in a "memory book" to express their sympathy.

Bennett left a widow and five children when he drowned in the Gulf of Tonkin after ejecting from his crippled F–105.

He was the first McConnell pilot reported lost in action in South Vietnam, although Capt. James Magnusson, Jr., Derby, shot

down at the same time, still was missing Thursday night.

Eight honor guard members lined the entrance of the chapel as visitors arrived for the services.

In services assisted by the Rev. Richard S. Klein, pastor of First Presbyterian Church, Derby, a poem, "High Flight," was read in tribute.

"Taps" sounded over the base as a bugler ended the services.

A "missing man" formation of three F–105's roared low over the chapel in final tribute to a fallen comrade.

[From the Wichita Eagle-Beacon, Apr. 18, 1965]

McCONNELL PILOT DIES IN VIET WAR

Capt. Samuel A. Woodworth, 34, became the second McConnell Air Force Base pilot to die in the Vietnam war when his F–105 Thunderchief crashed while dive bombing a military truck in North Vietnam Saturday.

Mrs. Nellie Jane Woodworth was notified of her husband's death while visiting her parents in Duncan, Okla. She and Captain Woodworth resided at 169 Sunset, Haysville. He was attached to the 563d Tactical Fighter Squadron at McConnell.

Maj. Frank E. Bennett, Derby, died April 4 when his F–105 jet was shot down by Soviet-built Mig 15 and 17 fighters south of Hanoi. Capt. James Magnuson Jr., Derby, was shot down the same day and was still on the missing list early Sunday morning.

Mrs. Woodworth said her husband left McConnell April 8 and had been in Vietnam only a few days.

Woodworth, son of Mr. and Mrs. Marvin Woodworth, Minco, Okla., had been in the Air Force since graduating from Oklahoma State University in 1955. He previously had served in Korea with the Oklahoma National Guard. He came to McConnell in September 1963.

Besides his widow, survivors include three children, Marvin, 9, Kathye, 7, and Alan, 5.

A U.S. spokesman said a pilot, later identified as Woodworth, was killed when his plane failed to pull out of a diving pass against a truck on Highway 12 through Mugia Pass along the border.

[From the Wichita Eagle Beacon, Apr. 7, 1965]

THE WAR COMES HOME

What does the war in Vietnam mean here in America's heartland, half a world away?

For Maj. Frank E. Bennett, of Derby, it meant death, and for his family and friends, sorrow. For those close to Capt. James R. Magnusson, Jr., also of Derby, it means anxious waiting. Major Bennett was reported killed in action in Vietnam this week, and Captain Magnusson reported missing. For George E. Herrington, of Wichita, it meant risking his life, though he escaped unharmed from riding shotgun on helicopters flying over South Vietnam.

This news that men from our community are seeing action in Vietnam—that F–105 fighter planes from McConnell Air Force Base are taking part in airstrikes there—suddenly brings the distant war home to us.

We see clearly now what may have eluded some of us before: This is our war.

Vietnam may be distant, its terrain unfamiliar to us, its politics mystifying. But the fact remains that South Vietnam's government is locked in a death struggle with Communist insurgents and our Government has given its word we will help. Rightly or wrongly, wisely or unwisely, we are involved in this war, and this means that Americans must risk—and on occasion lose—their lives.

When our fellow Americans—indeed, our friends and neighbors—are dying, we have no choice but to care about this far-off struggle to seek to understand it, to be part of an informed public opinion that will help our Government choose the proper course in Vietnam.

President Johnson will make a major speech on Vietnam Wednesday night. A solid, detailed report is needed. But needed no less is the careful attention of all of us to what he says. Our fellow countrymen are dying, and we must care.

SOUTH CAROLINA NEEDS NO AID, NAACP LEADER SAYS

Mr. RUSSELL of South Carolina. Mr. President, I ask unanimous consent to have printed in the RECORD an article appearing in the State, of Columbia, S.C., on Saturday, April 24, 1965, entitled "South Carolina Needs No Aid, NAACP Leader Says."

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

SOUTH CAROLINA NEEDS NO AID, NAACP LEADER SAYS

The field secretary of the South Carolina NAACP said Friday he doesn't think South Carolina Negroes need outside help in voter registration.

The Reverend I. DeQuincey Newman, NAACP field secretary, said, "In the last 4 years there has been a 147-percent increase in Negro voter registration without any outside invasion," the Reverend I. DeQuincey Newman said.

"I think this is one of the best records of voter registration anywhere in the South. I think that record speaks for itself as to whether or not we need outside assistance."

"Registration of Negroes increased from 58,000 in 1960 to more than 150,000 in 1964," he said.

Newman's comments were in response to an announcement last week by Congress of Racial Equality Director James Farmer that CORE would send 100 workers into South Carolina this summer to work on Negro voter registration. Farmer is scheduled to be in Columbia Sunday and will hold a press conference.

In his remarks, Newman added, "Negroes of South Carolina have never spurned a bona fide offer of help. At the same time I believe I voice the sentiment of Negroes in South Carolina when I say that we feel perfectly capable of providing our own leadership in the area of voter registration as well as in other civil rights activities."

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

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

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

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

REPORT ON DISASTER RELIEF—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 153)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Public Works:

To the Congress of the United States:

I have the honor to transmit herewith a report of activity under authority of Public Law 875, 81st Congress, as amended, and required by section 8 of such law.

Funds which have been appropriated to accomplish the Federal assistance determined eligible under this authority are specifically appropriated to the President for purposes of disaster relief.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 26, 1965.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

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

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The VICE PRESIDENT. Without objection, it is so ordered.

SOVIET OFFICIAL APPEALS TO AMERICAN PUBLIC TO END WAR

Mr. DIRKSEN. Mr. President, a very short item appeared in the New York Times under the title "War's End Urged," under date of April 23, 1965.

We know that a great deal of the opposition to our armed response to Communist aggression against South Vietnam has stemmed from the Communists and those who have been duped into following their line, or those who customarily do so.

I submit to the Senate, however, that unique arrogance has been shown in a Soviet official's writing an open letter to the New York Times urging a sector of Americans to oppose our response to armed Communist aggression and to terrorism. Although I would be somewhat horrified if this became the rule, I believe the New York Times performed a service in publishing this letter on its editorial page of April 23. I wish, since it is quite brief, to read it to the Senate.

The letter reads:

[From the New York (N.Y.) Times, Apr. 23, 1965]

WAR'S END URGED

To the EDITOR:

The expansion of U.S. military operations in North Vietnam evokes serious worries and profound indignation in broad circles of the Soviet public. Through your newspaper I wish to appeal to the American public, and to men of science in particular, to take all possible measures to stop these operations.

VLADIMIR ALEKSANDROVICH KOTELNIKOV,
Academician Director Institute of Radio and Electronics.
Moscow, *April 20, 1965.*

I cannot imagine a U.S. citizen who had some official identity with the Government—and certainly an academician of the Soviet Union must have some such identity—writing a letter to Isvestia or Pravda and appealing to a sector of the Soviet people in order to influence them in a matter of this kind. This is carrying their Communist propaganda rather far.

JOINT RESOLUTIONS OF THE STATE OF VERMONT RELATING TO VERMONT'S PARTICIPATION IN FEDERAL HIGHWAY PROGRAM AND TO RURAL WATER SUPPLY

Mr. AIKEN. Mr. President, I ask unanimous consent that two joint resolutions which have been adopted by the Vermont State Legislature be printed at this point in the RECORD.

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

H.J. RES. 22

Joint resolution relating to Vermont's participation in the Federal highway program

Whereas the State of Vermont commenced its participation in the program of construction of interstate and defense highways, so-called, in 1957; and

Whereas the Federal act provides that State participation in said program of construction is at the ratio of $1 of State to $9 of Federal participation; and

Whereas the Federal act for Federal aid to highways provides for a ratio of $5 of State money to $5 of Federal participation; and

Whereas Vermont is and always has been willing to bear its fair share of the expense of those projects designed for the good of the Nation; and

Whereas Vermont with a population of less than 400,000 and a per capita income well below the national average is asked to build highways comparable in size and length to those of States having a much greater populace and resources; and

Whereas the cost of construction and maintenance of highways in Vermont, due to the rugged terrain, and severity of weather conditions, far exceeds such costs in the great majority of other States; and

Whereas other States having a similar dearth of population and resources for highway purposes are laboring under the same difficulties as Vermont: Now, therefore, be it

Resolved by the Senate and House of Representatives, That the Vermont General Assembly hereby exhorts the Federal Congress to reevaluate the contribution formulas of said Federal act for the Federal aid to highways program with the object of reducing the contribution of the State of Vermont, and of other States laboring under comparable handicaps, to a proportion based on the factors enumerated above, or to the same ratio now allocated prevailing in the interstate and defense highway program; and be it further

Resolved, That the secretary of state be instructed to send a copy of this resolution to Vermont's Senators and Representative in Congress.

Approved April 21, 1965.

PHILIP H. HOFF,
Governor.

FRANKLIN S. BILLINGS, Jr.,
Speaker of the House of Representatives.

JOHN J. DALEY,
President of the Senate.

H.J. RES. 27

Joint resolution relating to rural water supply

Where it has been declared to be the policy of Vermont that the water resources of the State shall be protected, regulated, and where necessary, controlled under authority of the State in the public interest and to promote the general welfare; and

Whereas the increasing use of water fit for human consumption by Vermonters for residential, recreational, and agricultural purposes is a matter of great public interest; and

Whereas extreme shortages of such water have been experienced in many rural areas of Vermont; and

Whereas such water shortages are not restricted to Vermont but are a national problem well meriting Federal recognition and assistance; and

Whereas it is the primary responsibility of the State and local communities to plan, develop, and distribute water in rural areas; and

Whereas the Congress of the United States is now considering specific proposals such as Senate bill 493, introduced by Vermont's Senator GEORGE D. AIKEN, to meet the critical water needs of rural America; such proposals designed to provide Federal assistance to the improvement and expansion of existing facilities and the development of new water systems and distribution methods: Now, therefore, be it

Resolved by the senate and house of representatives, That the General Assembly of the State of Vermont endorses the aims and purposes of Senate bill 493 and urges the 89th Congress to give favorable consideration to legislation embodying the principles set forth therein; and be it further

Resolved, That this assembly believes that section 302 of Senate bill 493 should be amended to permit grants to be made to State political subdivisions, as well as cooperative or mutual associations, and be it further

Resolved, That the Secretary of State is hereby directed to send a copy of this resolution to our congressional delegation.

Approved: April 21, 1965.

PHILIP H. HOFF,
Governor.

FRANKLIN S. BILLINGS, Jr.,
Speaker of the House of Representatives.

JOHN J. DALEY,
President of the Senate.

AMENDMENT TO CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961—ADDITIONAL COSPONSORS

Mr. AIKEN. Mr. President, one of these resolutions relates to Vermont's participation in the Federal highway program. The other resolution relates to the rural water supply.

A week ago the distinguished majority leader, the Senator from Montana [Mr. MANSFIELD] and I introduced a bill which related to the establishment of a program for rural water systems. I ask unanimous consent that that bill remain on the table until tomorrow evening so that Senators who wish to cosponsor it may do so.

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

Mr. AIKEN. Mr. President, I believe that about 20 Senators have asked that their names appear as cosponsors to the bill. However, since not many Senators were present at the time the bill was introduced, perhaps they are not aware of the fact that it has been introduced. The bill has not yet been printed.

Mr. CARLSON. Mr. President, I should like to associate myself with the remarks of the Senator from Vermont relating to the development of a rural water program. I wish to have my name added as a cosponsor of the bill.

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

DUBLIN, IRELAND, EVENING HERALD PRAISES SENATOR EDWARD KENNEDY FOR HIS COURAGE IN TERRIBLE CRASH

Mr. YARBOROUGH. Mr. President, we in the Senate each esteem our colleague, the junior Senator from Massachusetts, and we have all been proud of the courageous fight he waged after his very severe airplane accident last year.

He has won that fight and we in the Senate are proud of him.

Last week, while I was in Dublin, Ireland, as one of the U.S. congressional delegates to the Interparliamentary Union Conference, where more than 50 nations were represented, I was pleased to read in the Dublin Evening Herald of Tuesday, April 20, and Wednesday, April 21, two stories by William V. Shannon, of the ordeal of EDWARD KENNEDY following the unfortunate plane crash last year.

I ask unanimous consent to have printed in the RECORD today these two articles from the Dublin Evening Herald, Ireland, of April 20 and 21, entitled "How TED KENNEDY Survived His Ordeal—Even in the Darkest Days His Robust Spirit Never Failed Him," and "Day of Joy—TED'S First 20 Steps After This Horror Crash."

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

[From the Evening Herald, Apr. 20, 1965]

HOW TED KENNEDY SURVIVED HIS ORDEAL: EVEN IN THE DARKEST DAYS HIS ROBUST SPIRIT NEVER FAILED HIM

(By William V. Shannon)

Last June 20, on a brilliantly sunlit morning, Senator TED KENNEDY, youngest of the nine children of the Kennedy family, lay semiconscious and in critical condition in emergency room No. 1 of Cooley Dickinson Hospital in Northampton, Mass.

The victim of a plane crash the night before, he was in intense pain. Three vertebrae in his lower back were smashed, two of his ribs were cracked, his left lung was partially collapsed, and there was massive internal hemorrhaging around his spleen and his left kidney. Would he live? If he lived, would he be paralyzed from the waist down? Would he ever be able to resume a normal life again?

As the doctors worked over him, his older Attorney General and brother BOB, then the effective head of the family since the death of President Kennedy less than 8 months before, paced alone in a small park nearby and pondered this latest family tragedy.

Hundreds of curious onlookers kept a respectful distance. After a time, he returned to the hospital.

A reporter approached and asked him the question that was in everyone's mind: "Is it ever going to end for you people?"

BOB KENNEDY paused, then said: "I was just thinking out there—if my mother hadn't

had any more children after her first four, she would have nothing now. My brothers Joe and Jack are dead and Kathleen is dead and Rosemary is in a nursing home. She would be left with nothing, if she had only had four."

TOO MANY

Then he brightened and added: "I guess the only reason we've survived is that there are too many of us. There are more of us than there is trouble."

The Kennedys knew all too well about back injuries. President Kennedy's back, first injured in a football game, was badly damaged during World War II when a Japanese destroyer knifed through PT-boat 109.

He went through two dangerous spinal-fusion operations and during the long ordeal of his recovery wrote his famous best seller "Profiles in Courage." By an eerie coincidence, TED now had a back injury as severe as his brother's had been.

"It was my third vertebrae that was hit worst. It was pushed sideways. Fortunately, that's below where the nerves branch out to your legs. If the injury had been just an inch higher, it would have severed my spinal cord and I would have been crippled for life," TED recalls.

"I found out my legs would be all right at the beginning of my second day in the hospital. After that I was never worried. I had a goal in life—I would walk again by Christmas."

COURAGE

But it was a long road from that June morning to Christmas week. During those months—and since—TED KENNEDY has written a new chapter of courage in the Kennedy story.

During the first hours after the crash, the big danger was TED'S internal hemorrhage. As Lt. Gen. Leonard Heaton, Army Surgeon General, said later after reviewing the case: "The hemorrhage almost necessitated an emergency operation, which would have been very serious because of Senator KENNEDY'S weakened condition after the crash."

But the profuse bleeding was caused by ruptured blood vessels surrounding the spleen and the left kidney, not, as had first been feared, by direct damage to those organs. With the help of four blood transfusions, the bleeding was gradually brought to a halt over the next 6 days.

During the time, TED was fed intravenously. He was in great pain from both the internal injuries and the injury to his back.

PAIN

"I received no sedatives the first 18 hours because they wanted to be sure where that bleeding was coming from, and pain is one of the surest indicators," he said later.

The first X-rays taken immediately after his admission to the hospital revealed only the fracturing of two ribs. When his condition improved several hours later, more extensive X-rays disclosed the crushing of his third vertebra and the serious fractures of the vertebra just above and below it. A long recovery period would obviously be needed.

But even before the full extent of his injuries was known TED'S natural high spirits and extraordinary self-confidence came to his aid.

Pat Lawford, his sister, recalls that first morning. "I flew up to Northhampton from New York the morning after the crash, even though I hate to fly. TEDDY used to kid me about that. When I walked into his room, he smiled at me and said, "Maybe you've got the right idea, Pat."

"The rest of us were worried and depressed, but TEDDY never was."

BALLADS

TED is easily the most extroverted, relaxed and genial of all the Kennedys. He likes to sing Irish ballads, is a delightful mimic, and is fond of good stories. His father once said: "He's got the affability of an Irish cop."

No one disputes his late brother Jack's judgment that "TED is the best politician in the family." Oldtimers in Boston often compare him to his grandfather, "Honey Fitz" Fitzgerald, once mayor of Boston, who long regaled audiences by singing "Sweet Adeline."

Joan, his attractive blonde wife, often thought during those first terrible days of TED'S jokes and sense of fun.

"I remembered that the night of the crash he spoke to the convention delegates by telephone to say he would be late and ended by kidding me. 'I really am coming,' he said. 'Don't nominate Joan till I get there'."

FRAME

She wondered how many days it would be before he would be able to tell funny stories again. She did not have long to wait. By 5 days after the crash TED was well enough to eat a spoonful of cereal—his first solid food—and drink some hot chocolate. His doctor told him: "You're doing very well."

TED replied, "That reminds me of a story. A prizefighter was taking a pasting from his opponent. When he returned to his corner, at the end of the round, his manager told him he was doing great, that his rival had scarcely laid a glove on him. So the fighter told his manager to watch the referee then—'Because someone in there is beating the daylights out of me.'

"Doctor, I feel like that fighter."

As soon as the second X-rays showed the nature of his back injuries, TED was placed in a frame. Later, he was shifted into a slightly different orthopedic device known as a Stryker frame. This frame, a substitute for the old-fashioned heavy plaster cast, is made of metal and canvas strips so arranged that they hold the patient's back rigid while leaving him free to move his head, hands, and feet.

TED was like the meat between two pieces of bread in a sandwich. Except when he was being turned over, one side or the other of the frame could be removed, which prevented bedsores and skin rashes. For the next 160 days, TED was never to leave the frame.

DECISION

Thursday, June 25, was the first turning point. He was able to eat an egg and milk toast for breakfast and from that time forward was back on solid food. That same day, he put on a headset and with his own hand dialed his parents' telephone number in Hyannis Port.

But a big decision lay ahead. The Army doctors who had flown up from Walter Reed Hospital on the night of the crash now recommended an operation to fuse the fractured vertebrae together.

This is a delicate and difficult operation, requiring several hours, in which bone is grafted from another part of the patient's body and placed in the spine to help new, solid bone to form. TED'S brother Jack had gone through two such operations in 1954—and neither was entirely successful.

By rigorous exercise to strengthen the supporting muscles and by other treatment, John Kennedy was able to walk again, but always with some amount of pain.

DETERMINED

The nature of the fracture is decisive in choosing whether or not to have such an operation performed. If the fracture is stable, rest will be sufficient to permit the bones to knit back together again. But if the fracture is unstable, with the various jagged ends "floating," then an operation is undertaken in an effort to help nature do its job.

Since the Army doctors recommended an operation for him, TED was inclined to accept their judgment. They told him it should be performed in 6 to 8 weeks and that his convalescence would take 8 months to a year.

But they reckoned without old Joe Kennedy.

"Dad doesn't like doctors and doesn't believe half what they say. He had seen Jack go through this operation twice, nearly dying one of the times, and he was determined that another of his sons would not risk this same treatment," a member of the family said later.

The elder Kennedy, still recovering from his stroke of 3 years ago, cannot speak, but he is perfectly clear of mind and he can make his opinions known when he wants to.

According to an eyewitness, he "just stormed at the doctors" and insisted he would not permit them to go ahead.

More consultations were held. Finally, the doctors from Walter Reed and those at Cooley Dickinson arrived at a joint recommendation. TED would be allowed to recuperate without an operation. If one should prove necessary, he could have it later.

Since it seemed wiser to transfer him to a more centrally located hospital, the next decision was whether he would go to Walter Reed or to a hospital in Boston. TED choose Boston. He was still a U.S. Senator running for reelection and he wanted to be among the home folks during the campaign.

"I'm going to run scared even if I have to do it on the flat of my back," he said.

On July 9, he was carried in his frame out of the hospital in Northampton for the ambulance trip to New England Baptist Hospital in Boston. The doctors and nurses gathered, sorry to see their famous patient depart. Although strapped in tightly from neck to ankle, he was able to raise his right hand and wave goodby.

CHEERFUL

Mrs. Esther Madden, one of his nurses, is a stanch Republican. Throughout the 3 weeks she cared for him, TED tried to enlist her in the Democratic Party, but without success. On leaving, TED offered this testimonial, "Nonpolitically, Mrs. Madden is a wonderful nurse."

"Senator KENNEDY was an exceptional patient because of his stamina and good humor," Dr. Thomas Corriden observed "In cases of this kind, the pain during the first 2 weeks is severe, but he never complained and always tried to think of something cheerful to say."

But if the doctors and nurses missed TED, the post office employees did not. In less than a month, he received 42,000 letters, 700 telegrams, and innumerable flowers, cakes, religious statues and medals, records, books, boxes of candy, and baskets of fruit.

President and Mrs. Johnson, Mayor Willy Brandt of West Berlin, Premier Sean Lemass of Ireland, Barry Goldwater, Jimmy Durante, and Ed Sullivan were among the thousands who sent letters and telegrams. Pope Paul cabled a special blessing.

A corner suite of the Lahey Clinic's private pavilion on the fifth floor of the New England Baptist Hospital was TED'S home for the next 5½ months. By this time, he had recovered from his other injuries, including a deep gash on his hand which took six stitches to close.

For his back, "time and still more time" was the indispensable healer. But there was much that TED himself could do, and he devoted all of that tremendous Kennedy drive and energy to doing it.

"I was exercising 3 days after the crash. The exercises never varied much except in the last month, when I was being prepared to actually stand and walk.

EXERCISES

"I progressed so that by the time I got back to the hospital in Boston, I could do my exercises for my back while shaving or reading a newspaper or talking on the telephone."

He had a regular half-hour session every morning with Mrs. Birte Thomasen, the hospital's physical therapist, who praises him unstintingly for his faithfulness to his exercises. The rest of the day he did his exercises while busy with other activities.

Sitting in his Senate office recently, TED demonstrated some of them to a visitor—wiggling his foot, rotating his ankle, flexing his leg at the knee, and raising his leg straight out from the hip.

"You see, they are all exercises I could do to keep my legs in shape without moving my spine," he said. "I also did resistance-type exercises. I worked a pull-type tension device with my hands. That was to maintain circulation and muscle tone in my arms and shoulders. Using special boots I lifted weights with my feet."

NURSES

TED took an instant liking to his two male Army nurses, Sgt. Roger Eckert and Sgt. Clayton Booth, who were part of the Army medical team flown to Northampton immediately after the crash on orders from Defense Secretary Robert S. McNamara. TED reimbursed the Government for the salaries during the months they stayed with him.

Roger and "Boothie" were at his side constantly. It took the strength of both of them to turn him in his frame every 3 hours. They played checkers with him, helped him with his exercises, and laughed at the little jokes that helped ease the pain and tedium.

When it was time to shift him from his back to his stomach, TED would often say, "Okay, boys, the human rotisserie is ready."

TED had a way of measuring his progress.

[From the Evening Herald, Apr. 21, 1965]

DAY OF JOY—TED'S FIRST 20 STEPS AFTER THIS HORROR CRASH

(By William V. Shannon)

(NOTE.—This is the story of the long and painful fight back of Senator TED KENNEDY after a plane crash in which he broke his back and lay near death.

(It is a story of the memorable milestones in that struggle—the visits from his children and of the simple things, like the foolproof system the Senator had of measuring his progress.)

"In the corridor there was just the slightest bit of a bubble in the floor—really, almost nothing at all. But when I was being wheeled from my room to the porch outside and went over it, it felt like a mountain.

"Gradually, I could feel my back becoming more stable. Each day, that bump kept getting smaller and smaller. Then, one day, I was wheeled over it and—nothing. I didn't feel anything at all, no bump, no jar, nothing."

The day after TED arrived at New England Baptist, he had Edward Martin, his press secretary, and Angelique Voutselas, his personal secretary, install a small office in an adjoining room. He personally answered his mail and carried out as many of his senatorial responsibilities as possible from that day forward.

He had a campaign for reelection to win in Massachusetts and worked hard at it, although the outcome was never in doubt. Early in the campaign he participated in the taping of a 15-minute television show. Later, he held a 45-minute press conference.

On November 3, he won reelection by more than 1 million votes, the greatest majority in the history of the State.

TED worried more about his brother BOB'S campaign in New York than about his own. The only time visitors ever saw him depressed was in early October when, for a time, polls indicated his brother might be defeated by Senator Kenneth Keating.

"I wish I could go campaigning for him," TED said ruefully.

"But he could also razz me," BOB recalls. "One of the biggest handicaps I had to overcome in my campaign was the impression some people had that I was terribly ruthless. One day TEDDY called me up during the campaign and said 'You know, I think I'll hold a press conference and invite those New York reporters. I could really tell them about how ruthless you used to be to your younger brother.'"

IMPULSE

A regular caller during the summer and fall was President Johnson. Once a week, he would telephone TED and ask, "Senator, how's my campaign going up there in Massachusetts?"

TED was determined to make good use of his time in the hospital. He had the example, of course, of his brother Jack, but he also had his own impulse to learn more.

"Right from the start of his senatorial career, TED has been extremely anxious to make use of experts and to bone up on public issues and really master the facts," Harvard Prof. Sam Beer observed.

Professor Beer recalls a dinner meeting in Cambridge several months before the accident when TED greatly impressed 10 professors from Harvard and Massachusetts Institute of Technology with his mastery of facts during a long evening's discussion.

Now TED turned to his friends at Harvard and MIT for advice during his convalescence. His first thought was to write a book, but after reflection he decided on three other projects—an article on extremist movements in American history which he hopes to get published soon; a book to be privately printed containing sidelights and anecdotes about his father ("this one is really for all the grandchildren who never knew Dad in his prime"); and a series of seminars on public problems.

"We sent him over monster reading lists on intergovernmental relations, the balance of payments, Latin America—all the current tough ones," Professor Beer says.

"Poor guy. He really worked at it."

After TED had read the books on a given topic, two or three professors would come by 2 nights a week and discuss the subject with him for a couple of hours.

Another participant in these skull sessions, Harvard Economist John Kenneth Galbraith says, "You have to hand it to these Kennedys. They really do their homework."

TED quickly worked out a regular daily schedule. Awake by 6 a.m., he read six Boston and New York newspapers in an hour. (Like President Kennedy, he has taken a speed-reading course and reads at a fast clip.) After breakfast, he washed and shaved himself. (An elaborate arrangement of mirrors and prisms enabled him to shave, read, write, and watch television while lying in prone position. A strap across his forehead supported the weight of his head.) After shaving, he worked on his exercises for half an hour with Mrs. Thomasen.

LOST WEIGHT

At 9:30 a.m., he was wheeled out on the adjoining porch ("I'll remember that porch all my life"), where he dictated mail, answered phone calls, and read for the rest of the day. He had lunch on the porch. A hearty eater, he ate the regular hospital fare.

Normally a weight watcher who uses saccharin instead of sugar and avoids rich desserts, TED comments: "One good effect of my accident is that I lost nearly 30 pounds."

On 3 or 4 days a week, his wife Joan joined him for lunch. She divided her time between their Boston townhouse at the foot of Beacon Hill and their house on Squaw Island, near Hyannis Port, where their two children, Kara, 4, and Teddy, Junior, 3, stayed.

Every evening TED read a bedtime story by long-distance telephone to his children.

Visits from the children were naturally high spots in his stolid routine. On his first visit, young Teddy, then only 2, exclaimed, "Daddy's in a crib."

Kara insisted on seeing her father's doctors. When one arrived, she showed she knew what doctors are for. "When are you going to give him his shot?" she asked.

FROG

On her next visit, Kara brought daddy a present—a frog inside an empty milk bottle.

Because of his own youth and his smiling good looks, TEDDY is a hero to many children. Once the initial flood of mail eased off, his incoming letters averaged 200 a day, many of them from children.

A little girl in Massachusetts enclosed a picture of herself and wrote, "I broke my arm last year, so I know just how you feel."

The mail and the visitors and the work helped enormously, but there were still the long nights. This intensely vigorous young man, an active athlete all his life, who played on the Harvard football team and loved to ski, swim, and sail, had to lie, tightly pinned in one position, with nothing to distract his mind.

"The nights were the worst. They'd turn out the lights and I'd say good night to everyone and fall right to sleep. Then I'd wake up and always be surprised that daylight wasn't shining in the window. I'd switch on a light and discover I'd only been asleep for 30 minutes. And the odd thing was, I'd feel completely refreshed and rested as if I had slept the whole night through."

He could have turned the lights on and read, but he tried to go back to sleep because he knew that would be best for his injured body.

"I would lie there for 2 or 3 hours before I drifted off, then I'd wake up again in a half hour or so. I never really slept the whole night through. Nothing looked better than dawn coming up and the chance to do something again."

EAGER

The doctors had told him his recovery would take about 24 weeks. He and his nurses and office staff organized a pool, each chipping in a dollar to see who could guess correctly the day he would leave the hospital. TED guessed December 17. His nurse Boothie guessed 16 and won, but with an indirect assist from TED. He was so eager to walk that he kept pressing the doctors to move up the day he could take his first step.

"It's harder to get a firm promise from you doctors than it is from a politician," he told them with a grin.

With the Harvard-Yale football game coming up, he made a bet with Dr. George Hammond, a Yale man, and a surgeon at the Lahey Clinic. If Harvard defeated Yale Dr. Hammond would have to let him try walking 1 day sooner. When Harvard beat Yale in the final 7 minutes, TED won his day.

In preparation for "the day," TED was moved, in late November, from his Stryker frame to an electric circle. This is a device invented at Walter Reed and never before used at the New England Baptist Hospital.

Unlike the Stryker frame, in which TED was turned horizontally, the circle rotated him vertically. The purpose was to restore circulation and a normal sense of balance after months of lying down.

FIRST STEPS

"They increased the angle slightly each day. I was at a 30° angle for a couple of hours, then the next day at a 45° angle. They never stopped it at 90° so that I would be standing upright until the last couple of days."

TED took his first steps—20 of them from his bed to the door—on December 3. He walked unaided from the hospital on December 16. He had kept his vow to walk by Christmas—with a week to spare.

Dr. Herbert D. Adams, director of the Lahey Clinic, said: "The favorable factor

in Senator KENNEDY's condition was his outstanding fortitude and courage."

TED still wears a heavy leather brace, which he hopes to discard by June, and he uses a cane. He walks slowly and stiffly. When fatigue sets in, the old pain returns. But each day he grows in strength. His face is drawn and he has aged.

Something of the easiness, the devil-may-care youthfulness, is gone, replaced by a new maturity. But there is no hint of bitterness over his long ordeal.

"I never thought the time was lost. I tried to put my hours to good use. I had a lot of time to think about what was important and what was not and about what I wanted to do with my life. I think I gained something from those 6 months that will be valuable to me all the rest of my life," he declared recently.

He may sometime have to undergo that spinal-fusion operation if his progress does not persist, but he is confident it will. TED walks into the future unafraid, for he has looked those old impostors—despair and defeat—in the face and stared them down.

JOSEPH McCAFFREY BROADCASTS ABLE EDITORIAL FOR THE COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, the necessity for continuation of the draft, to insure adequate military forces to defend our country, unfortunately means that we are also continuing the discriminatory conditions of the draft, under which only 40 percent of the draft-eligible men ever enter the armed services. So long as we maintain the draft, and so long as it is discriminatory, the need for a cold war GI bill grows more demanding.

The essence of the need for enactment of the cold war GI bill was recently reported in a television editorial by Joseph McCaffrey, on station WMAL–TV, here in Washington. Joseph McCaffrey is one of the outstanding national news commentators, and is well known for the excellence of his news reporting. I request unanimous consent that the text of his editorial, delivered on April 7, 1965. be printed at this point in the RECORD.

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

COMMENT BY JOSEPH McCAFFREY, WMAL–TV
APRIL 7, 1965

A report on the draft and whether it should be retained is expected soon, and upon it the President will make his decision as to whether or not to recommend its continuation.

From all that can be gathered here in Washington, it would appear that the recommendation will be to continue the draft.

If this is so, then coupled with that recommendation should be one which calls for the speedy enactment of a new GI bill of rights, providing veterans of the draft with the opportunity to obtain a college education.

Senator RALPH YARBOROUGH, of Texas, has long urged a peacetime GI bill of rights.

But, actually, would it be peacetime?

Any boy who is drafted might find himself shot at in Vietnam, and therefore he should have the opportunity offered by a GI bill, as did those who were called up in the Korean conflict.

If we are going to wage war in Vietnam, then the men who are called to take part in that war should be given the same privileges we gave to others who came under fire during the last 25 years.

If this is too costly, let us remember that the war in Vietnam is costly, too; and if we are willing to spend for it, then we should certainly be willing to reward those who must take part in it.

FIRST ANNIVERSARY OF THE ESTABLISHMENT OF THE UNITED REPUBLIC OF TANZANIA

Mr. YARBOROUGH. Mr. President, today, April 26, is the first anniversary of the establishment of the United Republic of Tanzania. On this important day, I want to extend my congratulations to that rising young African nation, to its President, Mwalimu Julius K. Nyerere, and to the people of Tanzania.

Today is Union Day in this African nation, rather than independence day, because this marks the time when the two new African nations of Tanganyika and Zanzibar embarked upon the enormous project of combining their two countries into a single nation.

Tanzania has been endowed with the necessary elements with which to build a nation—a variety of mineral and agricultural resources, exciting tourist possibilities, important values and traditions deeply imbedded in their society, and most important, a vigorous people. Starting with these endowments, Tanzanians, like our own Nation two centuries ago, have set about working out for themselves the physical, political, and cultural foundations for a thriving new nation.

The first Peace Corps group to train for oversea service trained at Texas Western University at El Paso, for service in Tanzania. then Tanganyika. It was my privilege to visit with those first Peace Corps men before they left El Paso, Tex., for east Africa.

As this young nation of Tanzania struggles to create a unified and prosperous nation, we Americans may well feel both nostalgia and admiration. More than 170 years ago, we too were a small, very new nation going through much of the same struggle with many of the same problems as this young nation now celebrating its first birthday. So today, I ask my fellow Americans to join me in expressing our friendship for the nation and peoples of Tanzania, as they pass this important milestone in their country's history.

ANNIVERSARY OF NICHOLS COLLEGE

Mr. SALTONSTALL. Mr. President, this past weekend Nichols College of Business Administration in Dudley, Mass., celebrated its 150th anniversary. In many ways it is a remarkable institution, and I should like to pay tribute to some of its accomplishments at this time.

Nichols was established as a private academy in 1815 by Amasa Dudley, a wealthy industrialist. It was one of the first nondenominational educational institutions in New England. Unfortunately, the school could not compete with free, public education, and as a result, ceased to function in 1911.

In 1931, the institution was reorganized and refounded as a junior college of business. Through the efforts of its president, James Conrad, it soon received recognition from the Massachusetts Legislature and a degree-granting privilege.

Nichols can be proud of its remarkable success in expanding its physical plant. In 1931, during the depression, it had only 4 acres of land and three buildings. It has now grown to 400 acres, with 32 buildings, providing its student body with excellent classroom, housing, and athletic facilities.

After the war, the college curriculum was expanded to include a 2-year program in forestry. This was made a 4-year course in 1963. In 1958, the Board of Collegiate Authority of Massachusetts approved the establishment of a 4-year course of business administration at Nichols and the conferring of a bachelor of business administration degree. Nichols became the first junior college in Massachusetts to issue such a degree, and also the first junior college in the State to expand to a senior college. Nichols is now the only private college in New England to have an undergraduate forestry, conservation, wildlife, and recreational management curriculum.

Throughout its development, Nichols has placed a strong emphasis on quality and excellence in instruction, and on a close contact between faculty and student.

This 150th anniversary is certainly an important milestone in the long and proud history of the school. It marks an occasion in which all of its students, faculty, and alumni can take great pride. We in Congress should not fail to recognize achievement in education, for it is an essential part of America's growth.

MORE NURSING HOMES FOR ALABAMA'S ELDERLY

Mr. SPARKMAN. Mr. President, those of us who follow the daily development of the Small Business Administration's programs find that one of the most gratifying features of this agency's work is the dual nature of its activities. While, to be sure, the main thrust of the Small Business Administration's mission is economic, with assistance to small business firms its chief objective, this goal can scarcely be attained without also generating many correlative advantages which are socially useful.

Today I shall mention just one example of how by helping small business firms, the SBA is also contributing toward building a better society in America. I refer to that phase of the Small Business Administration's financial aid program which encourages the expansion of nursing home facilities for our elderly citizens.

No civilization can make a valid claim to greatness, Mr. President, that disregards the basic needs of any significant group of its citizens. Thankfully, in many ways we have begun in recent years to pay needed attention to the requirements of the aged. Certainly there is no group comprising a major part of our total human resources more deserving of the solicitude of our society than those among us who have reached advanced years.

Today in America there are more than 18 million persons age 65 or over. What is more, the number of our elderly citizens is growing and the proportion of women 65 years of age and over is constantly increasing. About one-third of this age group are 75 years old and over. Indeed, Mr. President, some 12,000 men and women have already celebrated their 100th birthday.

The health of hundreds of thousands of these elderly citizens presents a special problem, not only to themselves and their families but also to the communities in which they live. With age, unfortunately, often comes infirmity. Many of our old folks are in dire need of the kind of personal attention which can best be provided in nursing or convalescent homes.

According to Government estimates, there are available today about 280,000 acceptable long-term-care beds. There is also a need, I am informed, for more than 500,000 additional beds for those of advanced years who are not quite sick enough to require hospital treatment, but who yet require the constant medical and nursing care to be found in nursing homes.

It is into this field, Mr. President, that the Small Business Administration has moved with the full force of its financial assistance program. Through December 31 of last year, the SBA had made a total of 458 business loans to small business men who were either establishing new nursing homes or expanding existing facilities.

The aggregrate amount of these SBA loans to nursing homes was slightly more than $33 million. While no precise figures are available at this time, a cautious estimate would place the number of beds provided by this financial aid to be in excess of 20,000.

These SBA loans, of course, are not the only assistance extended to facilities which provide care for the aged. They supplement grants to States for this purpose under the Hill-Burton Act and also the nursing home mortgage guarantee activities of the Federal Housing Administration.

In my own State of Alabama, the SBA has made 11 business loans totaling about $1 million to small businessmen operating or starting nursing homes. The individual amounts of these nursing home loans in Alabama range from $25,000 to $250,000. The number of beds provided at these Alabama facilities total 550.

Although the social benefits of this phase of the SBA's financial aid program to nursing homes for the aged are widespread and reach into many areas of our Nation, we cannot assume that our responsibilities to our elderly citizens have by any means been fully discharged. In Alabama alone, for example, there were by last count 273,000 men and women aged 65 and over. These constitute more than 8 percent of Alabama's population. As of January 1, 1964, there were approximately 3,350 beds in modern, safe, and sanitary nursing home facilities available to the aged citizens of my State. Reliable estimates place the number of additional acceptable long-term care beds needed at between 13,000 and 14,000.

The well-being of the older citizens of Alabama has long been of concern to me. I am, therefore, gratified to see that a Federal agency which I helped to establish is working so closely with our State and local agencies in Alabama to discharge a part of our responsibility to elderly citizens with health problems.

I know that every Member of Congress joins me in the hope that, by means of continued cooperation between those State and Federal agencies concerned with the welfare of our older citizens, the time will soon come when no old folks in need of nursing home care will be denied it for lack of available and adequate facilities.

ADDRESS BY GEORGE E. LEONARD BEFORE INTER-AMERICAN SAVINGS AND LOAN CONFERENCE

Mr. FANNIN. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point an address by Mr. George E. Leonard, president, National League of Insured Savings Associations before the Third Inter-American Savings and Loan Conference in Quito, Ecuador.

I have known Mr. Leonard many years and have closely followed his distinguished career in the savings and loan industry. He is one of the most knowledgeable and highly respected persons in this field and his remarks are always of special interest.

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

REMARKS BY GEORGE E. LEONARD, PRESIDENT, NATIONAL LEAGUE OF INSURED SAVINGS ASSOCIATIONS, THIRD INTER-AMERICAN SAVINGS AND LOAN CONFERENCE, HOTEL QUITO, QUITO, ECUADOR, MARCH 29, 1965

Ladies and gentlemen, I am very pleased to be here this week to meet with our savings and loan colleagues from Latin America at the Third Inter-American Savings and Loan Conference. We are all participating together in this great effort to bring the basic principles of thrift and the availability of home financing to an ever-increasing number of families. You are succeeding admirably in reaching your joint objectives, and in so doing you are growing more rapidly than did your counterparts 30 years ago in the United States when they were at a comparable stage in their development. At that time in the early and middle 1930's, we in the United States never dreamed that we would reach a level of $115 billion in assets by the year 1965. But that is where we are today in our role as the principal home-financing institution of my country.

My point in stressing this 30 years of growth is simply that you here in Latin America have a similar future ahead of you. Your great strength lies in the close attachment which you have to the average man. It is he who will determine the eventual success or lack of success of your institution. It is he who wants and needs a home for his family and it is he who is willing to work hard and sacrifice so that he might become a homeowner. As the managers of savings and loan associations you have the knowledge and technical training to help make the dream of the average man become a reality. There is nothing more important to the people whom you and I serve as savings and loan managers than this possibility of providing a clean, adequate home for their families.

We are not priests, or social workers in this savings and loan business, although our objectives are similar to the extent that we are trying to help people to help themselves. In reality, we are concerned with the material needs of the people we serve because we are helping to provide adequate shelter for them. This is our limited and specialized objective aside from helping those to save who already have adequate shelter. In order to provide these services effectively and efficiently, we must operate as private institutions which are self-sufficient and independent of changes in governments.

Savings and loan associations in my country and in your countries came into being because our governments were not able to do the job which was required. Governments simply do not have the know-how or money to provide housing for everyone. Even in a totalitarian state such as Russia where the State is supposedly capable of anything and everything, we now find that the Russians have been forced to admit that their Government has not been able to provide all the necessary housing in the 40-odd years which have elapsed since 1917. The Russian Government is now actually encouraging the development of a private sector and is calling on this new private sector to do something about the housing shortage. This is an encouraging development not only for the free world, but also for the people of Russia who have had to suffer with inadequate housing these many years. If the Russian Government would let us show it how to establish a system of privately operated savings and loan associations, we could provide more housing for the Russian people in the next 10 years than the Russian Government has been able to provide for them in the last 50 years.

My point in stressing the private nature of our savings and loan systems is merely to emphasize that such institutions have proven themselves time after time to be capable of providing more housing and of a higher quality than have the government or quasi-government housing corporations or mortgage banks which still operate in so many countries.

In highlighting the effectiveness of your 80-odd privately operated savings and loans—none of which existed prior to 1960—it should be pointed out they have financed the purchase of 27,000 new homes during the last 5 years. Of this number, 14,000 or more than half the total, were financed in the 12-month period ending December 31, 1964, the latest date for which totals are now available. In other words, the savings and loan systems which are still operating in only 7 of the 19 Latin American countries are financing the construction and purchase of new homes at a rapidly accelerating pace. There is every reason to believe that you will be financing as many as 40,000 new homes each year (3 times the present annual rate) within several years as operations of existing institutions are improved and additional ones are chartered.

The development of secondary mortgage markets in countries where savings and loan systems now exist will act as a further stimulus and also reduce the need for additional AID and BID assistance in this area. It should be very strongly emphasized that future AID and BID "seed capital" loans could probably be halved if adequate technical assistance were made available at the outset to help develop secondary mortgage markets in countries adopting savings and loan systems.

In connection with the need for developing internal secondary mortgage markets, many individuals have come to recognize that this would be one of the principal benefits resulting from the establishment of an

International or Inter-American Home Loan Bank. Legislation to permit the creation of such a bank is now before the U.S. Congress. This Bank would, in effect, receive limited investments from savings and loan associations in the United States which would then be reinvested or loaned to savings and loan institutions in Latin America. Such activities would strengthen mortgage markets in the other countries and at the same time permit the proposed Bank to act as a catalyst in developing an international secondary mortgage market. All of these activities are directed toward bringing homeownership within reach of more families throughout the world.

I hope that during the next few days there will be an opportunity to meet as many of you as possible because I want to learn more about what you are doing. Maybe we in the thrift and home-financing industry of the United States can learn from what you are accomplishing. This exchange of information is a two-way street. After all, it was you here in Latin America who developed the condominium type of housing which is now becoming so popular in my own country.

Thank you again for inviting me to participate in this Conference.

TRIBUTE TO FRANCIS S. MURPHY

Mr. RIBICOFF. Mr. President, one of Connecticut's outstanding citizens is Mr. Francis S. Murphy, former publisher of the Hartford Times. He has always devoted his time and energy to all worthwhile causes.

The progress of aviation in Connecticut owes much to his energy and imagination. In the April 15, 1965, issue of the Hartford Times appears a very interesting story, "Retiring Frank Murphy a Lively 'Mr. Aviation'."

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

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

RETIRING FRANK MURPHY A LIVELY "MR. AVIATION"

Francis S. Murphy, "Mr. Aviation," has retired as chairman of the Connecticut Areonautics Commission.

Mr. Murphy, who has headed the commission since its founding in 1946, attended his last meeting as chairman today at the Statler Hilton.

Now 82—he'll be 83 on Columbus Day—he tried to retire in 1962 but was talked out of it by Governor Dempsey. This time he means it.

"Nineteen years is too long," he said emphatically today at his California-style home at 90 Waterside Lane, West Hartford. "It's time to make room for someone younger."

He plans to remain active with personal interests.

Mr. Murphy—the father of Bradley Field (he lent his name to Murphy Terminal), former publisher of the Hartford Times, doer of good deeds, energetic champion of many causes, member over the years of innumerable commissions and clubs, and recipient of medals, awards, and honorary degrees—can't stand still.

The center of his active life is his library and lounge room on the lower level of his home—a spacious room with a picture window looking out on a generous lawn and a small lake.

The room, containing an expanse of bookshelves reaching nearly to the ceiling, is the cherished repository of relics, albums, awards, pictures, and symbols of his action-filled life.

With obvious relish, he talks earnestly about incidents in which he had a hand as part of the State's history.

There was the sheep roast party out at the former Times Tower on Talcott Mountain in 1950 after General Eisenhower—then president of Columbia University—broke ground for the Bradley Field terminal.

Recalls Mr. Murphy: "I told some of these fellows (Republican Party leaders and hundreds of other public personalities) that the general looked like a pretty good man for President. And, by golly, I believe we had something to do with starting things off for Ike, right at that party."

A memento of the occasion—a red and white five-star flag autographed by Ike—now hangs on one pine-paneled wall of the Murphy library.

The Times became the second paper in the Nation to back Eisenhower for President in 1952.

One of Mr. Murphy's scrapbooks is loaded with material about Bradley Field. Its creation and modernization were probably his most famous crusade.

At one point in the battle to get legislators to authorize the State to take over the field from the Federal Government, the crucial bill disappeared. An editorial writer, sent by Mr. Murphy to "birddog" the session, uncovered it in somebody's pocket.

"I know who had it," says Mr. Murphy, "but I just don't want to mention his name."

At any rate, the legislature did take action. Mr. Murphy has the prized headline in his collection.

The publisher and aviation buff also was known for his helping hand.

A picture on the wall—showing Mr. Murphy sitting in a rough-flying prototype of a Kaman helicopter—jogs his memory.

"I remember this young fellow who came in the office one day and said he had left United Aircraft and needed help to get a new type of helicopter going. Well, I liked him and I talked to these men over at the Hartford Club and they helped him out."

That was after World War II and the young man was Charles H. Kaman, founder of the helicopter company in Bloomfield.

A Trinity College citation dated June 16, 1947, awarded with an honorary doctorate of humane letters to Mr. Murphy as "an eminent citizen whose career is worthy of a story of Horatio Alger."

Mr. Murphy began as an errand boy with the Times in 1898 when he was 15. He was publisher and editor from 1950 until his only other retirement in 1953.

TAXATION AND INDUSTRIAL MODERNIZATION

Mr. HARTKE. Mr. President, I call attention to, and make available for perusal by other Senators, an address delivered by Assistant Secretary of the Treasury Stanley S. Surrey before the Commerce Department Modernization Conference, held at Cobo Hall, in Detroit, on April 20. I ask unanimous consent that Mr. Surrey's remarks on "Taxation and Industrial Modernization" be printed in the CONGRESSIONAL RECORD.

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

TAXATION AND INDUSTRIAL MODERNIZATION

(Remarks by the Honorable Stanley S. Surrey, Assistant Secretary of the Treasury, at the Commerce Department Modernization Conference, Cobo Hall, Detroit, Mich.; Apr. 20, 1965)

Tax policy ranks today as one of our most potent weapons for furthering our national economic goals.

One of the most effective methods we used to make tax policy a positive force for economic growth was to provide a tax climate designed to spur industrial modernization—which has been and remains an urgent national need.

The maintenance of the Nation's economic vigor depends in large measure on the continuing infusion of new and more efficient tools of production. If we are to remain the foremost industrial nation in the world, our pool of capital equipment must grow—and grow more productive—even faster than it has been growing. If we are to be efficient at home and competitive abroad, it must keep pace with our advancing technology. We cannot maintain our leadership with old tools, with obsolete methods, and with antiquated ideas.

POSTWAR MACHINE TOOL OBSOLESCENCE

Since the end of World War II, there had been a dismaying trend toward obsolescence in our machine tools and other capital equipment. This trend was not confined to a single industry or to a single geographic region. It was across the board and across the Nation.

At the beginning of the 1960's the economic situation was characterized by a low ratio of investment in productive equipment to gross national product—a ratio which had much to do with our lagging economic growth.

The inventory of metalworking equipment reported in the June 1963 American Machinist, produced some hard statistics on this trend. The survey showed almost two of every three machine tools in metalworking—64 percent to be exact—were at least 10 years old. Five years earlier this figure was 60 percent. In the report, 21 percent of these machines—more than 1 in 5—was more than 20 years old. Many of these old machines were built from designs of the 1930's. Some of them could be described as second generation machines—they were older than the men who operated them.

Obviously, this Nation cannot maintain its technological leadership if it responds too slowly to technological advances. Nor can we increase our productivity if we do not invest in new tools and retire outmoded and overaged equipment.

Three requirements are essential to encouraging a business to modernize by replacing old equipment with new equipment:

First, there must be an adequate rate of return on such investment—and what counts is the after-tax rate of return.

Second, there must be adequate funds for investment—corporate cash flow must be capable of financing modernization.

Third, there must be adequate demand for the increased production resulting from modernization.

The task for tax policy was to operate on the factors affecting investment in such a fashion as to improve the climate for investment.

Our new tax policies were designed with those requirements in mind.

INVESTMENT CREDIT, GUIDELINES REFORM

The first measure we chose was the investment credit—the central provision of the Revenue Act of 1962. The second measure was the 1962 reform of the tax treatment of depreciation.

The investment credit is a real innovation in U.S. tax policy. It provides a direct credit against the tax liability of up to 7 percent of the cost of new equipment. The credit operates directly to increase the rate of return on investment. Because it is provided in addition to depreciation it is a potent factor in increasing profitability of new investment, and thus provides an effective incentive to modernization.

But in 1961 and 1962, at congressional hearings on the tax bill which contained the

investment credit proposal, businessmen still strongly emphasized that they were held back from modernizing by unrealistic depreciation policies.

We were aware of that problem, however, and even then we were already well along in the studies that led in mid-1962 to the complete reform of the tax treatment of depreciation—the optional use of new and more liberal depreciation guidelines.

The guidelines we announced offered businessmen an alternative to the old Bulletin F, which contains thousands of separate lives covering every piece of equipment imaginable. The guidelines offered instead lives for 75 broad classes of assets—lives which on the average were 30 to 40 percent shorter than those in Bulletin F.

The central objective of the depreciation reform was to facilitate adoption of depreciable lives as short or even shorter than the guideline lives, provided only that the subsequent replacement practice be reasonably consistent with the life selected. Taxpayers may pick what they want—just so long as their future retirement practices justify the shorter lives. Thus, we provided lives allowing a maximum recovery of capital and greatly increased cash flow.

The climate to invest must be supported by strong consumer demand—demand strong enough to spur expansion of productive capacity. Further, investment looks to the long run and so demand must be not just for today's goods, but it must give evidence of continuing to absorb the goods of tomorrow's increased productivity.

And the desire for goods must, in turn, be supported by strong consumer purchasing power.

That is why we provided the greatest investment stimulus of all—the individual and corporate rate reduction contained in the Revenue Act of 1964.

The new law cut individual income taxes by an average of 20 percent. If you add the continuing benefits of the investment credit, the depreciation reform and the rate cut, business also received a 20 percent overall cut in tax liabilities—and small corporations received a cut of 27 percent.

Our next step was to make sure that the depreciation reform was working well. Business was using the guidelines to the extent that we had anticipated, but a serious problem had developed. Our studies indicated that about 60 percent of the firms we surveyed which had adopted the guideline procedure would be unable to meet the basic reserve ratio test at the end of the 3-year moratorium.

The Treasury started a series of studies to learn the reasons for the failures and to find out how the guideline procedure was working. The studies showed difficulties in the reserve ratio machanics and in the transition arrangement.

THE 1965 RULES CHANGES

In order to meet these problems we developed three major rules, which were announced early this year.

First, the mechanics of the reserve ratio test were unsatisfactory for a business with an irregular growth pattern—which most businesses have. To overcome this problem, we developed the optional guideline form—a technique which enables a taxpayer to calculate a reserve ratio test tailored to his own growth experience.

The moratorium period, 3 years, was found to provide too short a time for adjustment for many industries. To alleviate this condition, we substituted a guideline life—one full life cycle starting in 1965—as the basis for the transition period. We then combined this with an initial bonus or transitional allowance of 15 points which would gradually taper down so that the transition could be made with the necessary leadtime for investment and retirement of assets.

The 1962 guideline procedure provided for an adjustment in the depreciable life when the reserve ratio test was not met. The lengthening of lives under the original procedure could be as much as 25 percent of the life used. Because this seemed to be too abrupt and bore no relation to the degree of failure, we adopted a schedule of minimal 5- and 10-percent adjustments.

We have been asked why we did not drop the reserve ratio test altogether. The answer is that we did not because such action would do nothing to encourage modernization—it would simply have distributed the benefits of the depreciation changes indiscriminately among those firms which were modernizing—by replacing old equipment with new—and those which were not. The reserve ratio will help to insure that the benefits go to those who modernize and not to the laggards. The test is thus in keeping with the basic objective of the depreciation reform.

In the last 4 years tax policy has markedly improved the climate for investment—by providing the means for greater cash flow, by providing measures to insure an increased rate of return, and by providing consumer funds to support a high level of demand. Since all these tax measures interact, each is more effective because of the others, and the total impact both on investment and on the economy is all the more significant.

The investment credit and the guidelines were effective by themselves. But their effectiveness is multiplied by the general tax cut. For, ultimately, machine tool makers and users will look to the consumer market for their products to justify increases in their investment. Tax policy has therefore recognized the important role of the consumer market in modernization incentives. The best economic stimulus to growth is a balanced one, which rests on both producer and investor incentives and on the buying power of people. Our tax policy reflects this broad-based approach to speeding up the tempo of modernization and growth, both in the capital goods and consumer goods sectors of the economy.

When you add the 1964 corporate rate reductions, the investment credit and the depreciation reform together you find that in terms of after-tax rate of return on typical equipment outlays, the profitability of new investment—in the important 10–15 year range for the useful life of an asset—has been increased by some 35 to 45 percent depending on the extent borrowed capital is used. The overall effect on the rate of return is comparable to that which would have resulted from dropping the maximum corporate income tax rate 52 percent to somewhere between 29 and 34 percent—depending upon how much of the new investment is financed from borrowing.

It must be emphasized that these tax measures are general measures—the investment credit extends to all machinery and equipment, the depreciation reform covered all industry and business, the tax reduction was across the board. This approach is deliberate. Tax policy is most useful as a tool of overall governmental policy when it is called upon to achieve such general goals. In contrast, the achievement of narrower goals, such as the development of depressed areas or other particular geographical regions, the alleviation of specific industrial ills, or the encouragement of specific industrial activities is nearly always better accomplished through other governmental devices.

MODERNIZATION STIMULATED

The success of these tax measures in speeding modernization has been truly remarkable.

In 1960, for instance, orders for metal cutting and metal forming machines were at a level of $653.1 million. In 1963, the year following the introduction of the new tax measures, however, orders shot up over 42 percent above the 1960 level. Last year—1964—orders totaled $1,365.2 million, more than double the 1960 figure. Moreover, the index of sales of used machine tools has gone up—purchases of used equipment incidentally, are subject to the investment credit—indicating upgrading as well as modernization.

Pehaps one of the most important contributions of the tax changes has been the stimulus they have given to business management to reexamine its thinking and policies on modernization—giving particular attention to after-tax return. It is increasingly recognized that companies who ignore modernization needs are begging for trouble. An expectation that the company will share in general prosperity may be disappointed. Obsolete plant and equipment will hold it back.

Businessmen can't just sit back and expect to ride the wave of economic expansion. If they don't keep up the wave can go right over their heads. The man who is first to modernize has a competitive edge that's hard to beat—he can deliver better goods faster, with fewer rejects. It is the kind of competition that brings in reorders, and new business as well.

The company that tries to hang on and save money by operating with outdated equipment doesn't save money—it raises costs.

Therefore, it is not surprising that more and more businessmen are looking around for new ideas, new ways to modernize, new way to take advantage of the new tax climate for investment.

In fact, they are doing more than looking—they are making concrete plans. A Commerce Department-SEC survey taken in February reports that planned expenditures for plant and equipment for 1965 will be 12 percent above last year's level and 41 percent above the 1960 level.

When you go back to your offices, it might be very useful—useful in a dollars and cents way—to call in your machine experts and your accountants and your tax counselors and ask: Am I getting the benefits of the depreciation reform? Have my investment plans been analyzed in the light of the investment credit and the tax rate reform? When my competitors here and abroad are newly modernized, can I compete? The answer may well determine the future course of your business and your share in the benefits of our expanding economy.

Let me be still more specific. A basic question you will want to raise is not merely: Should I add new capacity to meet expanded customer requirements and keep my share of the market? For the experienced businessman this is relatively easy to answer.

Rather, it is the more challenging query—one likely to be more vital to the long-range success of your enterprise: Can I profitably replace old, inefficient tools with new, more productive equipment that not only enables me to produce more but also makes it possible to deliver today's output at less cost?

This is the essence of modernization: the will to weed out the obsolete machine and substitute a new machine which embodies the latest technology.

The new tax provisions provide the drive and readily calculable monetary benefits to overcome hesitation or natural reluctance to make the financial commitments involved, which sometimes hold back decisions to modernize. They check the contagion of neglected obsolesence. For if the tempo of progress slows for some businesses, this makes it easier for others to slow down and still maintain their relative position in the competitive parade, until a whole industry or the whole economy stagnates. No business wants this to happen to itself, to its industry, or to the economy in which it operates. The new tax climate reinforces the

inherent drive of American enterprise to seek ever more efficient cost-cutting techniques.

The rewards of the modernization incentive provisions are not confined to big business or to small business or to any sector of the economy. Whether your firm is large or small, the more you invest, and modernize, the more you are helping your own business and the more you are helping the Nation itself.

This is a big year in Detroit—a record-breaking year in the auto industry. I am convinced—and I think most economists would agree—that the principal reason this is a recordbreaking year is the tax cut which President Johnson signed into law just a little more than a year ago.

This tax cut created a real revolution in orthodox thinking about tax policy as an economic tool. You may be sure that, as a result, tax policy will be used again where it can help the economy—as it will be this year with a reduction in the scope and amount of excise taxes.

The Government then, is doing its part to maintain a healthy climate for business investment. This is a proper function of Government, since business is a vital part of our economy. At the same time, business must cooperate if all the economic policies of the Government are to prove effective. We are now seeing a splendid example of business cooperation in the voluntary business efforts to help improve our balance-of-payments position. At the same time, by making the most of investment and modernization opportunities, by the exercise of responsible restraint in maintaining price stability, and by aggressive exploration of new markets and new opportunities both at home and abroad, business can do much to sustain our present economic expansion at its present rate.

Government has modernized the tools of tax policy—to help the builders and users of machine tools to modernize our industrial processes. The Government has retired Bulletin F and invested in a new depreciation policy and an investment credit—so that business can retire its outworn machinery and invest in modern productive tools. Government has retired high tax rates and invested in sweeping tax reductions—so that business can modernize and expand with confidence in a strong consumer demand. With the modernization of Government tax policies thus matched by a modernization of business practices, the forces for economic growth will be powerful and sustained.

We will face economic problems in the future. But with the enlightened and energetic leadership we have today, and with the knowledge and experience we have gained over the past few years, I am confident that these problems will be solved. Our economy will thereby continue to provide the means to enrich the lives of ourselves and our children as we move closer to the Great Society in the years ahead.

THE 50TH ANNIVERSARY OF THE ARMENIAN MASSACRE

Mr. KENNEDY of Massachusetts. Mr. President, April 24, 1965, was the 50th anniversary of the commencement of atrocities against the Armenian people, resulting in the massacre of 1.5 million of this courageous race. Armenians throughout Massachusetts and the Nation have reaffirmed their commitment to the cause of justice and human rights.

Indeed, the Armenian question is very much alive today. In America, where both the concept and practice of justice demand that the slightest trespass of the rights of a single individual receive meticulous attention, certainly the oppression and destruction of a race or nation calls forth our expressed horror and opposition. It becomes a people such as ourselves—dedicated to freedom and individual liberty—not only to remember and reflect upon the past suffering of the Armenians during this prescribed month of mourning, but also to dedicate our efforts and reflections to the best manner by which to avoid and eliminate any future repetition of such ignoble action.

To the Armenian people in Massachusetts I would like to express my sincere admiration for the dignity and concern they have exhibited in carrying out the commemorative programs and for the many fine and intellectual contributions they have made to our Commonwealth. To the Armenian people throughout this Nation and the world, I would like to reaffirm my sympathetic dedication to their fight for justice and liberty for every single human being.

THE JOHNSON WAY: VICTORY THROUGH CONSENSUS

Mr. SMATHERS. Mr. President, I asked unanimous consent to have printed in the body of the RECORD an article enttile "The Johnson Way: Victory Through Consensus." The article, written by Tom Wicker, was published in the New York Times of April 18, 1965.

President Johnson has long been known to all of us here in the Congress as an untiring worker on behalf of the issues deemed to be in the best interests of the country. As President, he has made great use of the skills he learned while serving in this body.

The 89th Congress is establishing a great record and the President has contributed greatly to this progress. In his article, Mr. Wicker describes very well the President's technique of "come let us reason together." The article is worthy of consideration by all of us.

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

[From the New York Times, Apr. 18, 1965]

THE JOHNSON WAY: VICTORY THROUGH CONSENSUS

(By Tom Wicker)

WASHINGTON, April 17.—Were the Republican Party given to iambic pentameter, it would want these days only some lean and hungry Cassius to whisper to some unsettled Brutus:

"Why, man, he doth bestride the narrow world
Like a Colossus, and we petty men
Walk under his huge legs, and peep about
To find ourselves dishonorable graves."

And as 'twas asked in ancient Rome, so it might be wondered now:

"In the names of all the gods at once,
Upon what meat doth this our Caesar feed
That he is grown so great?"

Just 3 months after the inauguration of Lyndon B. Johnson for a full term of his own, it really does seem sometimes that Washington's "wide walls encompassed but one man," just as Rome's in the day of Caesar. To shift the idiom to Texas, the President is in tall cotton and eating high on the hog.

Like Old Man River, his legislative program just keeps rolling along. Education, with its great potential for a divisive church-state uproar, has been passed in peace. Medical care for the aged is over the ancient hurdle of the House of Representatives. Despite dispute on details, the prospect is for passage without filibuster of the major bill on voting rights. Beyond that unfolds the prospect of one of the most extensive records of legislative achievement in any session of Congress.

BLISSFUL SCENE

Elsewhere in the Nation, Mr. Johnson surveys a blissful scene—save for the uncertain prospect of a troubled summer of racial unrest. The Republican Party lies in tatters at his feet, still riven on ideology and without a natural leader. Mr. Johnson's business support also appears to be holding firm. Public opinion polls show his popularity at a high level, and private polls indicate that the legislative successes are laying the groundwork for successful Democratic campaigns in the 1966 congressional elections.

Even in his own administration, the gaps have been filled. A series of major appointments, coming slowly but meeting a high degree of public approval have recast the Kennedy administration into the Johnson administration with little break in continuity and no apparent party resentments.

These appointments have brought Secretary of Commerce John T. Connor, Secretary of the Treasury Henry H. Fowler, Attorney General Nicholas deB. Katzenbach, and Under Secretary of State Thomas C. Mann into positions of new influence. The appointment this week of Adm. William F. Raborn to head the Central Intelligence Agency not only met with congressional approval but also may bring a new effectiveness to that controversial organization.

Mr. Johnson still has a number of appointments to make—notably of ambassadors—but he has filled out the major offices and staffed the regulatory agencies with generally impressive men. His White House staff appears to have become an effective unit, and administration sources say the talent hunt headed by Civil Service Director John Macy is going well.

Abroad, the scene is less encouraging, but except in Vietnam, scarcely alarming. The Western alliance is badly in need of repair, but the task probably cannot be undertaken now in any case, with uncertain Governments in Britain and West Germany, and an all-too-certain Government in France. Major advances in Soviet-American relations can hardly be effected until the new Soviet Government establishes its positions more clearly and while Vietnam is in crisis.

There is plenty of potential trouble in the Middle East and with some of the fierier "uncommitted" nations like Indonesia. The Congo and Cyprus crises continue. But to offset these problems, the Alliance for Progress apparently is having greater effect in Latin America.

None of Mr. Johnson's various foreign entanglements seem to threaten him with extensive trouble at home, except Vietnam. Even on that explosive issue, Mr. Johnson has managed to put together an uneasy consensus of support, particularly since his offer to negotiate. But there is little room for maneuver. The Republicans in Congress have made it plain that they will attack anything they construe as "retreat" in southeast Asia. Yet, a shooting war on the Asian mainland would probably be unpopular and would put a sharp ceiling on Mr. Johnson's ambitious domestic program.

TROUBLE SPOTS

Vietnam alone, in short, seems at the moment seriously to threaten Mr. Johnson's standing as an American colossus. But there are other situations that offer varying degrees of potential trouble, for instance:

1. The economy. Inflationary possibilities abound. In particular, a steel wage settle-

ment and a steel price rise beyond the administration's guidelines would confront Mr. Johnson with hard political choices that could hurt his position with labor or business, or both.

2. Poverty. Increasing evidence of confused administration and political influences in the poverty program has caught congressional attention. A major scandal or a congressional crackdown would reflect sharply on Mr. Johnson's most publicized program.

3. Labor. The unions are demanding both an increase in the minimum wage and the repeal of a Taft-Hartley law provision permitting State right-to-work laws. Both issues are politically explosive and could put Mr. Johnson in the position of having to offend either labor or business supporters.

But Washington is getting accustomed to the sight of Lyndon Johnson picking his way, unscratched, through thorny thickets like these. And there is not much doubt about what meat this Caesar feeds on. It is politics—a mastery of the art so sensitive as to make a radar antenna seem obsolete.

The uneasy left wing of his own party has been stilled with performance—the school bill, medicare and the compelling speech on voting rights during the Selma crisis. The business community, always suspicious of Democratic Presidents, has been brought around by the emphasis on economy, by such appointments as those of Mr. Connor and Mr. Fowler, by the tax cut and its accompanying rhetoric about economic growth and free enterprise and by such astute exercises as the "voluntary" program to right the imbalance of payments. The Republicans reduced nearly to impotence by the disastrous campaign of Barry Goldwater, have scarcely found an opening.

OPPOSITION STIFLED

The best features of a Republican medical care plan were absorbed into the Democratic bill. First-year appropriation requests for the major Johnson program have been kept low enough to muffle Republican cries of pain. On the other hand, the support of old Republican heads like Senator EVERETT MCKINLEY DIRKSEN, of Illinois, and Representative WILLIAM MCCULLOCH, of Ohio, has been assiduously sought on and fulsomely praised in the crucial voting rights situation. This week, that noble Republican name, Henry Cabot Lodge, was dispatched abroad again, not least to add a little bipartisan gloss to the war in Vietnam.

Mr. Johnson never ceases in his pursuit of rapport with any group or individuals whose backing or friendship might be useful. Nearly every Member of Congress has been entertained at the White House and massaged by the Presidential grip. Mayors, Governors, teachers, religious leaders, business executives, newspapermen—all have heard the President expound on everything from the balance of payments to Vietnam. Wednesday he made a flying trip to disaster-stricken areas of the Midwest—not to bring anything tangible to the unfortunate, but to demonstrate his sympathy and interest and that of the administration.

That is why few observers here believe Mr. Johnson is likely to begin fumbling and stumbling, no matter what misfortunes befall. No small part of his success so far has been due to circumstances beyond his own efforts—the national prosperity he inherited, for instance, and the opportunity to run against Mr. Goldwater. Even so, Lyndon Johnson has given ample proof that he is no longer just a political accident in the White House. He knows what he is doing, and how to do it, as few Presidents have.

It would be no wonder if some frustrated opponents, unlike the lean and hungry Cassius, became convinced that the fault for their circumstances lay not in themselves but in their stars.

JAMES RIVER DEVELOPMENT IN THE MITCHELL, S. DAK., AREA

Mr. MCGOVERN. Mr. President, on Friday, April 23, I met with a group of 90 interested citizens in my hometown, Mitchell, S. Dak. The purpose of the meeting was to explore the desirability of a survey of James River development possibilities in the Mitchell area. Members of the city council, the Mitchell Chamber of Commerce, the Davison County Board of Commissioners, the clergy, local news media, businessmen, professional people, farmers, and other civic leaders were present.

The group adopted unanimously a resolution calling for a feasibility survey by the appropriate agencies. The resolution led, in turn, to a resolution adopted by the City Council of Mitchell and sent to me, over the signature of Mayor C. W. Klingaman, on the 24th of April.

On the basis of this resolution and the consensus of the Mitchell meeting, I have requested the Department of the Interior's Bureau of Reclamation to undertake immediately a feasibility survey. The Assistant Secretary of Interior on Water and Power, Kenneth Holum, has assured me that he is instructing the district Bureau of Reclamation office, at Huron, to proceed with the survey.

In South Dakota, we have a special awareness of the importance of full development of our water resources. The possibilities of increasing municipal water supply, recreation, irrigation, and flood control, as well as river navigation, need to be fully explored. This, of course, is the purpose of the studies that will soon go forward. After the surveys have been completed, a judgment can then be reached as to whether it is in the interest of the Mitchell area to proceed with a James River dam and other development programs.

I ask unanimous consent that the resolution of April 24 of the Mitchell City Council be printed at this point in the RECORD.

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

CERTIFICATE OF RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MITCHELL, S. DAK.

I hereby certify that the following resolution was duly passed by a unanimous vote of the City Council of the City of Mitchell at a special meeting called and held on the 23d day of April 1965.

"RESOLUTION

"Whereas the future development of agriculture, industry, rural life in the James River Valley and municipal growth of the city of Mitchell depends upon the availability of an abundant, economical and suitable water supply; and

"Whereas detailed studies to survey the feasibility and possibilities of flood control and water development for multipurpose use have not been progressing in a satisfactory manner in the James River Valley; and

"Whereas there is an immediate need and desire to determine the potential benefits of such multipurpose development in the James River Valley; and

"Whereas State and local authorities do not have the financial ability to adequately carry out a program for the study and execution of the development of the James River Valley; and

"Whereas a group of some 90 interested persons in the community of Mitchell, S. Dak., gathered together because of the apparent urgency of the situation; and

"Whereas such group included members of the City Council of the City of Mitchell, the Mitchell Chamber of Commerce, the Davison County Board of Commissioners, members of the clergy, the local news media, local businessmen, professional people and civic and social organizations and other interested individuals; and

"Whereas such group by a unanimous vote requested the Mitchell Chamber of Commerce and other local bodies to make an appeal to appropriate Federal, State, and local agencies to inaugurate an immediate detailed study of the James River Valley: Now, therefore, be it hereby

"Resolved, That we respectfully request the appropriate Federal, State, and local agencies to immediately inaugurate a detailed survey of the feasibility of multipurpose water storage development in the James River Valley to provide for irrigation for agricultural land, water for cities and towns, water for industrial use, water for recreation, water for fish and wildlife and flood control; and be it further

"Resolved, That copies of this resolution be directed to the appropriate Federal agency or agencies, State and local agencies and to the Congressmen and Senators of the State of South Dakota.

"Dated this 24th day of April 1965.

"C. W. KLINGAMAN,
"Mayor of the City of Mitchell, S. Dak."

NEW YORK CITY FIGHTS OBSCENITY

Mr. MUNDT. Mr. President, since I first introduced legislation to provide for a Commission on Obscene and Noxious Matters and Materials, I have been watching the struggle which many communities and cities have been making against this traffic in smut. The people who are trying to protect public morals, especially the mental and moral health of our youth, have had to carry on without the benefit of adequate laws, or even careful definitions, in an effort to rid newsstands of the pornographic magazines, pictures, and other materials displayed in such a way as to arouse the curiosity of young people.

In New York City, the mayor has appointed a commission to study the particular problems of that area, and to eradicate such offensive materials from public display. The New York Daily News, which has been editorializing on this problem very effectively, carried a story on April 12, which described the activities of the mayor's commission and details some of the proposals which the commission makes for correcting this sordid problem. I am happy to note that the commission endorsed the legislation, S. 309, which I have introduced.

Many citizens in other cities around the country want to know what they can do to organize for the protection of their children. I believe that the material in this news story will give them many of the answers they need and for that reason I ask that the story by Peter Coutros be included in the RECORD at this point.

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

BLAME COURTS FOR FLOOD OF PRINTED FILTH

(By Peter Coutros)

Appalled by the torrent of published filth polluting the minds of youngsters, a jury of 21 public-spirited citizens of the metropolitan area has found the courts guilty of debasing the standards of the community.

This unanimous, strongly worded condemnation has been forwarded to city hall by the Citizens Anti-Pornography Commission, which has simultaneously offered an 11-point program to combat the accessibility of smut to minors.

In a well-documented report, the commission asks for immediate passage of proposed legislation which would stop the peddling of printed filth to those under 18 years of age.

The bill, to be submitted to the legislature later this week, was drafted by Corporation Counsel Leo A. Larkin, the city's ranking legal adviser.

It comes hard on the heels of overwhelming public response to an editorial printed in the News on February 15. The editorial reflected the concern expressed by many Americans over the growing number of books and periodicals whose theme is smut.

Pointing out that alarmed groups were drawing a parallel between peddlers of pornography and dope pushers, the 38-line editorial went on to explain that the reason lawmakers were lax in proposing remedial legislation was an apparent absence of public demand for such action.

After stating its opposition to censorship, the editorial, which asked, "What to smite smut?" concluded by suggesting that readers with ideas on how to combat the dirt-for-dollars delegation contact their representatives in the State legislature.

The readers' views also were solicited. To date, the mail count has exceeded 13,400. The writers represented various faiths and all income strata of the community.

Never before had a News editorial or story elicited such an outpouring of sentiment.

THE NEWS ACTS ON PEOPLE'S MANDATE

Armed with this mandate from the people, this paper undertook to initiate appropriate action on the legislative front.

Previous measures aimed at saving our youngsters from the lewd literature being purveyed to them had run afoul of the courts, which considered the laws confronting them as being too vague for enforcement.

Almost always, the decisions invalidating the legislation were extremely close. In many cases, a switch of one vote would have made the difference.

On July 22, 1964, for instance, the U.S. Supreme Court ruled that Henry Miller's "Tropic of Cancer" could not be construed as being obscene. The tribunal's 5-to-4 decision negated an earlier 4-to-3 vote by the New York Court of Appeals which would have removed the controversial book from shop stalls.

COURT OK IS CLOSE ON "FANNY HILL," TOO

The same court which rejected Miller's novel looked with favor upon "Fanny Hill." Again, it was by the most minimal of margins, 4-to-3, that this diary of a prostitute, written in almost clinical detail, was allowed to be sold throughout the State.

Similarly, the court of appeals turned down section 484–H of the penal law prohibiting the sale and distribution of objectionable material to youngsters.

A law written in virtually the same legal terminology had won approval of the Rhode Island Supreme Court, whose decision was affirmed by the U.S. Supreme Court when it was called upon to adjudicate the matter.

The precise definition as to what constituted obscenity had plagued those who had sought to eradicate this evil earlier. This legal hurdle loomed large and discouraging when, at the behest of various interested parties, Mayor Wagner organized the Citizens Antipornography Commission last August 7.

Made up of representatives of such diverse sectors of the community as law, labor, industry, education, medicine and publishing, the commission first convened October 9, 1964, to be addressed by the mayor.

Voicing his administration's keen disappointment over the manner in which the courts had dealt with the problem, Wagner declared that the judges had misinterpreted community standards.

What was needed, said the mayor, was action by representative citizens' groups to arouse public opinion. Wherever a consensus was properly articulated, the public interest was the ultimate beneficiary, he said.

Even as they were being exhorted by the mayor to initiate some action which could eventually be translated into law, the commission members were being apprised of the difficulty confronting them in their quest by Counsel Larkin.

COMMISSION AGREES BOOKS ARE OBSCENE

To determine for themselves what all the legal hootin' and hollerin' was about, the commission members then read "Tropic of Cancer," "Fanny Hill" (subtitled "Memoirs of a Woman of Pleasure"), the bestseller, "Candy," and Touch magazine.

The commission agreed unanimously that the three books and magazine were "obscene, filthy, indecent, and totally repugnant to their standards as representatives of the community."

That this material could even be distributed among adults was an appalling situation, the commission asserted.

With the rocketing sales of inexpensive soft-cover books, all of this is becoming increasingly available to youngsters.

After chastising the courts for permitting such "vile, disgusting, and loathsome publications" to continue to print unfettered by any legal restraint, the commission proposed the following 11-point plan:

1. That the local, State, and Federal obscenity statutes presently on the books, be vigorously and relentlessly enforced.

2. That the State of New York and other States pass additional obscenity statutes especially designed to preserve the morals of children.

3. That the Congress of the United States adopt the bill presently before it entitled, "A bill to establish a Commission on Noxious and Obscene Matters and Materials."

4. That the city of New York and every city and State in the United States establish a similar permanent commission.

5. That there be established in New York City and every major city in the Nation, citizen commissions to read and review materials alleged to be salacious and thereafter to express a "community standard" as to whether the publication is obscene.

6. That the clergy of the city, State, and Nation be urged to continue to express its deep concern regarding the serious nature of this problem and request their congregations to support the proposals of this commission by urging their legislators and public officials to implement these recommendations.

7. That the citizens of New York City, the State, and the Nation be urged to write to their city, State and Federal legislators urging passage of the legislation and implementation of the program prepared by this commission.

8. That the parents of the youth of our city and our Nation be especially warned by the chief executive of each community of the grossly depraved nature of so many of the publications now on numerous newsstands and in candy stores throughout the city and Nation and the danger they pose to their children.

9. That the chief executive of each community appeal to the morality and civic and national pride of authors, distributors, publishers, and retailers of obscenity and request them to desist from disseminating the same.

10. That the chief executive of each community urge the mass media—newspapers, magazines, radio, and television—to join the mothers and fathers of the children of our city and Nation to assist in eradicating the evil of obscenity.

11. That copies of this report be widely distributed to interested citizens of the city, of the State of New York, to the mayors of the principal cities of the Nation, to the President of the United States, to the Governor of the State of New York, to the Governors of the various States, and to all State legislatures.

NOTHING VAGUE ABOUT LARKIN'S PROPOSAL

The commission called on the public to make its influence felt.

Call the police where necessary, write to the chairman of grand juries and appear as witness when necessary; this, says the commission, is how parents can combat the peril engulfing their children.

The statute being proposed by Larkin to the State legislature, in expectation of having it enacted into law by July 1, can hardly be characterized as too vague.

Its target is any book, pamphlet, or magazine devoted to the exploration of sex, lust, or perversion.

On the subject of nudity, the bill would regard as salacious those publications attracting the viewer's attention to genitals, pubic areas, buttocks, or female breasts below a point immediately above the top of the areola.

The sale of such matter would be prohibited by this law, with the penalty to any person selling such material to those under 18 being a fine of $100 or by imprisonment up to a year.

The penalty for a second conviction of this misdemeanor would be a fine of up to $250 or up to 2 years in jail. Any subsequent offense of this nature would be dealt with as a felony.

In many respects, the bill being proposed by Larkin is similar to one introduced March 22 by Assemblyman Burton Hecht of the Bronx. The latter bill is, however, more explicit and covers more ground.

The Hecht bill would deal severely with publications showing or depicting persons with genitals in a state or condition of sexual stimulation or arousal or * * * engaged in an act or acts of masturbation, homosexuality or sexual intercourse."

Hecht's recommended legislation continues in this vein, leaving virtually nothing open to charges of vagueness.

The bill, if it overcomes legal barriers, would also hold to strict accounting records or tapes dealing in narration of lascivious acts.

In Washington, Senator KARL MUNDT, Republican, of South Dakota, has introduced a bill which would create a commission to cope with obscene matters and materials.

EXCEPTION TO RULE OF FREE PRESS

Charges of "censorship" are labeled as spurious by MUNDT.

Not only is obscenity not protected by the Constitution, explains MUNDT, but the Nation's most historic document clearly regards obscenity as an exception to the guarantees of free speech and free press.

Such is the temper on Capitol Hill relative to smut that MUNDT, a member of the GOP's conservative ranks, has the support of Senators CLIFFORD CASE, Republican, of New Jersey, and ERNEST GRUENING, Democrat, of Alaska, usually alined with the party's liberal faction.

For all these influential persons arrayed against smut, the forces of indecency continue to wage a strong fight, using any technique which serves their purpose best, including sniping.

In New Canaan, Conn., Mrs. Loretta Luce, who operates a newsstand with her husband, has been subjected to an ordeal of slander for refusing to sell pornographic magazines.

SOME OWNERS CALLED "UNENLIGHTED PRUDES"

Mineographed circulars distributed to other store owners and pasted on the window of a laundromat paint the woman in colors of anti-intellectualism and censorship.

Mrs. Luce and those who share her views are characterized as "unlightened, uneducated old women, moral prudes."

In Paris, too, there is a tendency by some to downgrade the strength of the moral revulsion felt by so many Americans vis-a-vis salacious publications.

With French postcards being banned from those pretty stands along the Seine and with President de Gaulle looking reprovingly down his long nose at some of his countrymen's sexual excesses, one peddler of pornography allowed as how he'd pack his clothes and cards and come here.

"Now there isn't any censorship in America," proclaims Maurice Girodias, the purveyor of pornography.

"The courts have cleared things up. You may publish anything in the United States. But the burgeoisie have taken over in France. The French are behind the times."

Who would have thought—?

VOTING RIGHTS ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

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

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment of the Constitution of the United States.

AMENDMENT NO. 82

Mr. WILLIAMS of Delaware. Mr. President, as I understand, my amendment is the pending business.

The PRESIDING OFFICER. The Senator is correct.

Mr. WILLIAMS of Delaware. Mr. President, the pending amendment is offered on behalf of the Senator from Iowa [Mr. MILLER] and myself. It is known as the "clean elections" amendment to the voting rights bill.

The amendment itself is quite brief, and I would like to quote it in full at this point:

On page 29, line 20, strike all down to and including line 4 on page 30 and insert in lieu the following: Whoever knowingly or willfully gives false information as to his name, address, or period of residence in the voting district for the purpose of establishing his eligibility to register or vote, or conspires with another individual for the purpose of encouraging his false registration or illegal voting, or pays or offers to pay or accepts payment either for registration or for voting shall be fined not more than $10,000 or imprisoned not more than 5 years, or both.

I have always been in favor of guaranteeing to every American citizen an equal opportunity to participate in the election process, but I feel just as strongly that this guarantee is meaningless if that vote is not counted properly, or if that vote is effectively canceled by a vote that is illegally cast, or if another person illegally registers to vote. I feel that the Congress, in its efforts to see to it that the integrity of a man's right to vote is protected, is obligated to see to it that the integrity of his vote itself is protected.

The pending amendment addresses itself to this problem by making it a Federal offense for anyone to give false information as to his name, address, or length of residence in a particular election district. Under the terms of the amendment it would also be a Federal offense for anyone to conspire with another to register falsely or to vote illegally. Third, the amendment would provide a penalty for anyone offering or accepting money or something of value in exchange for registering or voting.

The abuses which this amendment seeks to correct are not sectional in nature. The amendment is not aimed at one part of the country or another. It is aimed at a condition which we know exists and which continues to exist despite the valiant efforts of many local officials to stamp it out.

Nevertheless, it is either the lack of sufficient legal authority or the actual connivance of some in illegal acts which brings about the condition this amendment seeks to remedy. If, then, local officials either do not or will not take appropriate action to curb or prevent such acts it becomes necessary for the Congress to act.

Recently there came to my attention a report of the Election Research Council, Inc., dealing with the 1964 elections in Arkansas. I wish to quote brief portions of the report—not to point the finger at the State of Arkansas but simply because the report contains examples of the type of thing which we should be seeking to prevent.

For example, the nonpartisan report states:

Anyone could purchase poll tax receipts for an assortment of gravestones, and then apply by mail for absentee ballots. The county clerk, seeing that the applicants were listed in the poll book, would then send the ballots and voters' statements to the designated address. The ballots would be returned and counted.

The report continues:

It is generally agreed, "that there was more purging of absentee ballots this general election than ever before." But, according to the report, "despite this widespread casting out of ballots, our preliminary studies indicate that the total of 30,930 ballots actually counted was bloated with fraudulent and invalid votes * * * it is doubtful that there were 10,000 valid absentee votes cast in the general election of 1964."

I repeat that I have not quoted from the Arkansas report to indicate that conditions are worse in Arkansas than anywhere else. It just happens that the Arkansas report was called to my attention and it contains excellent examples of voting abuses which unfortunately can be found in too many parts of the United States today.

As a further example I quote from an editorial which appeared in the Chicago Tribune on Saturday, March 20, 1965. The editorial says in part:

Alabama and the other States of the Deep South are not the only places where citizens are deprived of their right to vote and to have their votes counted honestly. At every election in Chicago thousands of Negroes and other citizens are intimidated and bribed by precinct captains. Illiterate voters and voters who swear they are illiterate are followed into the polling booths and the voting machines are pulled for them.

Another method of controlling votes—

The editorial continues—

is particularly effective among voters who are receiving public welfare payments or living in public housing. They are visited in their homes, asked to sign ballot applications, and then told they need not appear at the polls. Their votes are cast for them early on the morning of election day.

The same newspaper in an editorial which appeared last fall, summed up this sort of thing as succinctly as possible. The Tribune said, "Election fraud is not occasional, or accidental in Chicago. It is a way of life." It is, I think, a way of life in too many parts of the country today and one which honest men must bring to an end immediately.

We make a mockery of the democratic process if we close our eyes to such abuses of the ballot. We agree, I think, that it is wrong to deny a man the right to vote on account of his race or color, and in fact the Constitution forbids it. But is it any less wrong for abuses such as those cited above to continue? If the Congress is going to enact legislation in this field to guarantee a man his voting rights, can we fail to guarantee at the same time that the vote he casts will be cast in a clean election, will be properly tabulated and counted, and will not be diluted by an illegally cast ballot? Is a man any better off when his ballot is canceled by an illegally cast ballot than he is if he does not vote at all? Who can forget the infamous incident in Chicago in the 1960 election when in 1 precinct 82 votes were cast although the voting list showed only 22 qualified voters?

Such incidents are every bit as much a blot on the American image and the democratic process as are instances of the denial of the right to vote based on race or color. Both must be stamped out and the sooner the better.

Our election process, at best, is rather inefficient—

Concludes the aforementioned report of the Election Research Council, Inc.—

but it marks the difference between our democratic society and the totalitarian systems. The voice of the people can best be heard through the ballot, and we should never condone or close our eyes to any condition which would pollute or adulterate the integrity of the vote in any election on any candidate or issue.

Mr. President, I hope the amendment will be accepted by the sponsors of the bill. If not I certainly shall ask for a yea-and-nay vote at the appropriate time. Congress is concerning itself over the matter of the right to vote, and I am in favor of guaranteeing the right of every American to vote; but it is equally important to protect that vote against being canceled by an illegally cast vote.

Assuming that the bill is to be passed, we are already answering the question of whether or not the Federal Government has a right to interfere with State elections. That is not the issue. That question will be settled if the proposed legislation is enacted.

Also, this amendment is equally applicable to every section of the country, in all the 50 States, and it should be. But, that point is not a debatable question because under section 9 the bill already applies to every State of the Union.

So the issue boils down to the simple question: Does the Congress in guaranteeing Americans the right to vote also agree that in casting a ballot that vote must be counted properly and that it will not be canceled by an illegally cast vote or one which has been paid for?

I ask unanimous consent that an excellent article on the same subject, by Richard Wilson, which was published in the Washington Star of April 21 be printed in the RECORD as a part of my remarks.

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

[From the Washington (D.C.) Star, Apr. 21, 1965]

A NEW EVIL TO CORRECT AN OLD?

(By Richard Wilson)

Recent revelations in Arkansas focus attention on the appalling prospects for election frauds, irregularities, and senseless bloc voting under the voting rights bill that Congress will adopt.

The Arkansas frauds were a dreadful repetition of age-old tricks at the polls—voting names from gravestones, and so on, but with a new wrinkle. Thousands of nursing home patients too feeble, sick, or deranged to be much interested in elections were a special target for the organizers. In the investigation of one nursing home, 47 applications for absentee ballots were found to have been forged.

The voting rights bill will bring to the polls many hundreds of thousands of new voters, a very high percentage of whom will be unable to read or write, or survive the most elementary of literacy tests. It is hard to imagine that political organizers in the South are any more righteous than those in the North, whose bloc-voting operations in the poorer district of the big cities have been a national disgrace for generations. Richard M. Nixon's defeat for President in 1960 could have been due to fraudulent voting, although such voting is not strictly a Democratic accomplishment.

In some areas affected by the voting rights legislation more than half of the Negroes who have reached the age of 25, and thus will be able to vote, have a fourth-grade education or less. Literacy tests will be abolished in at least four States.

This drastic measure is deemed necessary to insure that literacy tests shall not be used as a ruse to prevent Negroes from voting. If the drafters of the legislation could have had their way, literacy tests would have been abolished entirely in all the States, but that was recognized as a clear contravention of the constitutional right of States to determine qualifications of voters.

But it is clear that the rationalization behind this legislation is one man, one vote—regardless of color, creed, literacy or any other factor except minimum age and reasonable sanity.

It is not debatable in this country that Negroes cannot be denied the right to vote on account of their color, but it is debatable whether Congress should adopt a new evil to correct an old one. The evils of mass voting, fraud and trickery are likely to be increased by the voting rights bill, and it is for this reason that the Federal Government, having taken the original step in policing local elections, eventually will have to take another.

The right to vote is certainly no more basic than the right to have that vote counted honestly, and not to have it canceled by a fraudulent vote. Yet there are areas in this country, and some of them in Texas, where an honest vote may be cancelled by a dishonest one.

Senator JOHN WILLIAMS, Republican, of Delaware, has a proposal to the point, offered as an amendment to the voting rights bill:

"Whoever gives false information as to his name, address, or period of residence in the voting district for the purpose of establishing his eligibility to register or vote, or conspires with another individual for the purpose of encouraging his false registration or illegal voting, or pays or offers to pay or accepts payment either for registration or for voting shall be fined not more than $10,000 or imprisioned for not more than 5 years, or both."

While it might have been doubtful at one time that the Federal Government should be burdened with enforcing honest and clean local and State elections, the voting rights bill itself is a new intrusion into local affairs.

The Williams amendment would do no more than have the Federal Government accept responsibility that its intrusion shall not make local elections more fraudulent than they already are.

Mr. ELLENDER. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. ELLENDER. For the record, will the Senator tell us what the difference is between his amendment, No. 82, which I believe is now pending, and the language in the amended bill?

Mr. WILLIAMS of Delaware. The first part of the amendment is the same as in the bill. There are two main differences, however, between the pending amendment and the language in the bill. The language in the bill refers only to "the provision of this act" which means that only five or six States would be affected. The committee bill would be applicable only in those States where the formula had been triggered into effect. The amendment which I have offered is applicable in all of the States, as it should be because we are interested in clean elections throughout the country.

The second point is this: If the Senator will read the second part of page 30 he will note that the sponsors of the bill included in a provision to make it a crime for anyone to offer to pay or accept payment either for fraudulent registration or for illegal voting under the provisions of the act.

My amendment strikes out the words "fraudulent" and "illegal" because, under the language of the bill as written it would be a crime to pay a man to vote only if he registered fraudulently or voted illegally; but if a man had a right to vote, if legally registered and then voted legally, he could be paid.

I do not believe the committee intended that. Certainly it cannot be defended.

If we accept the committee's proposal presumably it would be all right to pay a man to vote the first time, assuming he were properly registered, but it would be a Federal crime if he were paid for casting the second ballot. The administration's bill only proposes to make it a crime to pay a man when he casts an illegal ballot.

By this line of reasoning, if a man goes to court and proves that he was properly registered and that he voted but once he can take all the money he can get for voting.

My amendment, by striking out the two words "fraudulent" and "illegal" means that whoever pays or offers to pay, or whoever accepts payment either for registration or for voting will be subject to certain penalties. My amendment is broad and covers all cases of payment in all of the 50 States.

Mr. ELLENDER. In other words, the amendment of the Senator from Delaware would apply to all elections in all States?

Mr. WILLIAMS of Delaware. In all States and in all elections, it would be ridiculous to say that the Senate would condone payment to a man to vote once but would not condone it if he votes twice or that votes can be bought in one State and not in another.

Mr. ELLENDER. What is the Senator's justification for making it apply to a purely local election, say for mayor, for a representative in a legislature, for sheriff, or for any other local office?

Mr. WILLIAMS of Delaware. Solely because the bill itself so reads. The legislative counsel tried to draft this amendment to comply with other language of the bill. If a man is going to register and vote he should do so legally. In the amendment we are not dealing with the question as to whether the Federal Government should or should not have the right to intercede in a local election. The pending bill if it should be enacted into law answers that question. To provide otherwise the inference would be drawn that we were willing to have a fraudulent election at the local level, which is certainly not the intention. I believe that in any kind of election a man has a right to know that his vote after being cast properly will be counted properly. I see no objection to it being all-inclusive, and it was made all-inclusive.

Mr. ELLENDER. If the bill is enacted into law as presently written, and the amendment of the Senator from Delaware [Mr. WILLIAMS] is adopted, is it not a fact that the Senator's amendment would touch upon all elections, even one selecting a justice of the peace in a State?

Mr. WILLIAMS of Delaware. Yes, the Senator is correct, and so would the committee bill. It would follow the same pattern of the bill.

Mr. ELLENDER. If the bill is adopted along with the Senator's amendment, it would mean that in every election which would be held in a State, a township, or in a ward, the law would become effective?

Mr. WILLIAMS of Delaware. That is true. That is also true with the bill itself, assuming that it is adopted as otherwise written.

Mr. SALTONSTALL. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I am glad to yield.

Mr. SALTONSTALL. My question is a simple one. Do I understand the Senator's amendment to mean that if, for instance—as I have known it to happen—20 people were registered in a house where there are only a few beds, and the question would arise of registration of a questionable character, could those persons be prosecuted under the Senator's amendment?

Mr. WILLIAMS of Delaware. The man who knowingly and willfully falsely registers would be subject to prosecution.

Mr. ELLENDER. You mean more people might be registered at an address on X Street than actually live there.

Mr. WILLIAMS of Delaware. Yes, if 20 people registered at that same address on X street, and it could be proved they did not live there, they could be prosecuted. If only 5 eligible persons lived at that address and 25 others had fraudulently registered, under my amendment those 25 persons who had fraudulently registered as living at that address would be considered as having registered illegally and could be subject to prosecution.

Likewise, if in the general election they voted as the result of this fraudulent registration, under my amendment they could be prosecuted. The person himself could be prosecuted under the amendment because he had given false information in registering.

By the same token, if a ward leader or someone else conspired with this person he too could be prosecuted. If there is a conspiracy between those illegally registering and a second party they can both be held responsible. Why should there not be some responsibility on the part of the man registering?

I supported the section of the civil rights bill which was enacted last year which guaranteed our citizens the right to vote. I thought then we had dealt with the problem, but apparently we did not do it adequately. I am willing to guarantee that every man and woman shall have the right to vote, but if he does not wish to vote without being paid he should not be eligible to vote.

By the same token, when we guarantee that man the right to register he should have some responsibility that when he goes before the registrar he is giving the registrar the proper information and is not registering in a State or a district in which he does not qualify to vote.

Mr. SALTONSTALL. Who would prosecute such a case?

Mr. WILLIAMS of Delaware. The Federal Government—under the same provisions existing in the pending bill.

Mr. ELLENDER. I am sure that if a case should be prosecuted, the Federal Government will do it.

Mr. WILLIAMS of Delaware. Yes, the Senator is correct.

Mr. ELLENDER. Not the State.

Mr. WILLIAMS of Delaware. The State could do it, but if it did not the Federal Government could.

Mr. ELLENDER. This could apply, as the Senator stated before, to any election. It could also apply not only to the person voting but also to anyone who conspires with him—there might be half a dozen people involved.

Mr. WILLIAMS of Delaware. The Senator is correct. The bill itself relates to the guarantee that persons have the right to register. This amendment places some responsibility upon those same persons that they will register properly.

Mr. SALTONSTALL. Could State authorities prosecute as well as Federal authorities?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. SALTONSTALL. What is the authority? Is it the local district attorney, or the State attorney?

Mr. WILLIAMS of Delaware. That would be up to whatever provisions existed under State law. As I understand it, the bill otherwise provides that if the State has adequate laws to provide registration of its voters the Federal Government would not move in.

Mr. President, if there are no further questions, let me conclude by expressing the hope that the Senator in charge of the bill will be willing to accept my amendment. If not I would bring it to a vote as soon as convenient to the Senate.

Mr. MANSFIELD. Mr. President——

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum—and it will be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll, and the following Senators answered to their names:

[No. 60 Leg.]

Aiken	Hart	Muskie
Bartlett	Hartke	Nelson
Bayh	Hayden	Neuberger
Bennett	Hickenlooper	Pearson
Bible	Hill	Pell
Boggs	Holland	Prouty
Brewster	Hruska	Proxmire
Burdick	Jackson	Randolph
Byrd, Va.	Javits	Ribicoff
Byrd, W. Va.	Jordan, Idaho	Robertson
Cannon	Kennedy, Mass.	Russell, S.C.
Carlson	Kennedy, N.Y.	Saltonstall
Case	Kuchel	Scott
Church	Lausche	Simpson
Clark	Long, Mo.	Smathers
Cooper	Long, La.	Smith
Cotton	Mansfield	Sparkman
Curtis	McCarthy	Stennis
Dirksen	McClellan	Talmadge
Dominick	McGee	Thurmond
Douglas	McGovern	Tower
Eastland	McIntyre	Tydings
Ellender	McNamara	Williams, N.J.
Ervin	Metcalf	Williams, Del.
Fannin	Montoya	Yarborough
Fulbright	Morse	Young, N. Dak.
Gore	Morton	Young, Ohio
Gruening	Mundt	
Harris	Murphy	

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. BASS], the Senator from Connecticut [Mr. DODD], the Senator from Washington [Mr. MAGNUSON], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Utah [Mr. MOSS], and the Senator from Rhode Island [Mr. PASTORE], are absent on official business.

I also announce that the Senator from Hawaii [Mr. INOUYE], the Senator from North Carolina [Mr. JORDAN], the Senator from Minnesota [Mr. MONDALE], the Senator from Georgia [Mr. RUSSELL], and the Senator from Missouri [Mr. SYMINGTON], are necessarily absent.

I further announce that the Senator from New Mexico [Mr. ANDERSON] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] and the Senator from Iowa [Mr. MILLER] are necessarily absent.

The Senator from Hawaii [Mr. FONG] is absent on official business.

The PRESIDING OFFICER (Mr. HARRIS in the chair). A quorum is present.

The Senator from New York is recognized.

UNIVERSITY EMPHASIS ON TEACHING

Mr. JAVITS. Mr. President, increasing concern is being expressed throughout the Nation with respect to the emphasis on research in our colleges and universities at the expense of classroom instruction. For example, according to an American Association of University Professors survey, the average American professor devotes from 6 to 9 hours a week to teaching; his classroom load was 12 hours weekly a decade ago.

Also, less time is being devoted to counseling students on curriculum. As colleges grow larger and become more impersonal, such counseling merits greater stress, not less. This becomes even more important as we seek, through legislation, and through private efforts, to bring the benefits of higher education to the disadvantaged and to minority groups who heretofore have not been able to enjoy the full benefits of such training.

More and more, colleges and universities are endeavoring to lend greater prestige to teaching. My own alma mater, New York University, for instance, has an annual great teacher program.

Laying stress on teaching in American colleges, the New York University Alumni News of April features an article by Dr. Floyd Zulli, Jr., professor of romance languages at NYU.

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

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

[From the New York University Alumni News, April 1965]

ZULLI DEMANDS REVIVAL OF TEACHING CONCEPT IN AMERICAN COLLEGES

(By Floyd Zulli, Jr., professor of romance languages, New York University)

In the last 10 years, the jargon and theory of education have been notably enriched by such innovations as programed learning, new mathematics, educational television, language laboratories, data systems, computers, and countless other boons to civilization invented by IBM or Remington Rand to assure us that we are living in the space and lunar age. But the fact that Johnny still can't read and often has difficulty writing, and that millions of Johnnies are floundering in colleges or about to storm their portals leaves the present-day teacher uneasy, to say the least. And when he realizes that courses in remedial reading and writing are offered by countless colleges, his unease turns into anguish.

One asks why this is necessary when teachers, editors, and publishers have never before

been so willing to do so much for so many. For other than standard texts (perhaps "standard" is the wrong adjective since texts nowadays are rarely given time to become standard) there is at arms-reach a dizzying array of college outlines, how-to pamphlets, student aids, abridgments, made-simple and made-quick condensations of what passes for education but is nothing less than a composite of adulterated learning and a slick homogenized product that only the most magnanimous would call culture. The frenetic desire for altruism on the part of some publishers has led them to reduce, explain, outline, and annotate so simple a work of dubious literary value as Somerset Maugham's "Of Human Bondage" with the same reverential devotion expended on Chaucer and Dante. But, perhaps, this is not so heinous a crime in a society where bargains can be obtained by buying books by the pound. To use the descriptive language of my students, "Who's fooling whom?"

Ever since Sputnik I soared into the empyrean and the less-than-literary expression, "population explosion," was coined, the groves of academe have not been the same. Reason, calm, moderation and measure, once the hallmarks of the cultivated man, are hardly anywhere apparent. Our teachers and administrators, with unbridled energy and vision, are now emulating the antics of their once favorite whipping-boy, Jean Jacques Rosseau. They are so engaged in hustle and bustle that one fears that movement has supplanted meditation. All eyes are on the future, when not on Washington, that imagined drainless cornucopia of all good; the present is merely something to be muddled through while anticipating the advent of the great new day.

But all is far from black in the learned groves despite the uncomplimentary portraits of them found in C. P. Snow's "The Masters" and Edward Albee's "Who's Afraid of Virginia Woolf?" A frightening number of academicians are already dancing the "antic hay" in the "brave new world" which, in their opinion, has largely come to pass and which bodes an ever braver one. And who of them is as courageous as the illustrious king to admit that after them might come the deluge? Of greater moment, how many would confess that it is here now?

Grants and fellowships, like sabbatical leaves, have long been a part of higher education. Their lineage is idealistic and they are frequently beneficient in result. It is imperative that a teacher renew himself through private study and research. It is equally imperative, if his investigations are significant, that the results be made known to his fellow workers through publication. But it is not imperative that a grant be sought, as many are, sorely as a pseudolegitimate means of fleeing the classroom. To teach is to impart knowledge; it is not an invitation to personal aggrandizement, be it in the guise of nutriment for a withering ego, or in the crass idiom of today, pecuniary emolument. Grant fever has swept the Nation's academic communities during the last few years with a vengeance and fury hitherto unknown; not to have a grant in today's academic world of strained values is as much the kiss of death as not to have a Ph. D. And how many splendid teachers have been and are still being broken over the scholastic rack for not possessing that hallowed document?

Jerome Seymour Bruner, professor of psychology at Harvard writes: "We're all becoming big, fat entrepreneurs. We try to get out of our own research, and before we know it, we're tied up in outside research contracts and in editing journals." One is reminded at this point of Bliss Perry's famed remark, which has become no more than a quaint anachronism today, "And gladly teach."

Bruner has his enemies, of course; and, of course, he is viewed in some circles as superficial and in others, reactionary. But this is no more than to be expected in a society which no longer talks but communicates, prides itself on tolerance yet considers any difference of opinion as treason against the current mode of thought or the establishment itself. Bruner might well have reminded his readers that 30 years ago everyone wanted to send the corner grocer to Washington "to straighten out the mess." He never arrived, but the professors did, and without one fleck of chalk dust marring their grey flannel suits.

THERE ARE REALISTS

There are, thankfully, some realists yet found in the present-day teaching community. They are those who have frequent concourse with students; who are aware of what students know and don't know, no matter what their test scores or percentile ratings may be; who listen to them lament the dehumanization of contemporary educational trends; who see them being told to visit the university health services for aid in solving one or more of their emotional conflicts, or being required to carry less than a full academic program; who decry the fact that too little time and too large classes deprive them of opportunities to guide and advise students more successfully; and finally, who recognize, as many students do themselves, that a college education may not be at all what the students are equipped for or basically desire. Many an undergraduate is the victim of parents inebriate of status symbols; and others view the college as a home away from home, a way station which shields them from life and from which they are singularly reluctant to depart. One need not bear the opprobrium of being labeled a "Mr. Chips" by holding firm to the belief that teaching is an art and must concern itself with human beings rather than a battery of aptitude or other mechanically devised tests.

It may be rightfully argued that a college is not a psychologist's waiting room; that it has but one reason for being: to offer knowledge to those capable of receiving it. Yet, is it doing this when good students are held back by the less intelligent; when professors rarely change their lecture notes or are lost without them; when they are torn between teaching a class, addressing a ladies' club or keeping an appointment with their editors; when they are so enveloped in the cloak of administrative duties, the favorite garment of many, that they haven't time to read the students' papers; when many classes are taught by graduate assistants; when textbooks are described by their publishers as gorgeous and are replete with breathtaking pictures; when the magical word "numbers" gives rise to endless electronic experiments while assuaging the conscience of the professor and assuring him that he is in step with the times?

The role of the college student is not an easy one. Despite the rigors of his preparatory work, presuming that it is of high quality, and despite the enormous intellectual potential of the student, he still remains, in many instances, an uninformed individual. To adjust quickly to new standards, values, and what should be an entirely different approach to learning requires a mental and emotional effort of no small measure. Will the machine obviate the transition from adolescence to what one hopes will be, at the very least, incipient maturity? Similarly, it is all very well to prate about the European university system, which, too, leaves something to be desired, or the concept of the master-teacher dispensing knowledge to hundreds and thousands in one fell swoop, but it should be kept in mind that our students have not attended a European primary or secondary school nor sat for highly competitive State examinations.

ANOTHER CRISIS

Immediately following the last world war, the teaching of foreign languages in this country experienced another of its multitudinous and perennial crises. The military, we heard ceaselessly, had not only trained individuals to speak foreign languages fluently in 6 or 12 weeks but also to lisp in accents both measured and golden. The pedagogic defenders of the system failed to consider that no college program allows the student to concentrate on one subject 12 or 14 hours a day, 6 days a week. That experiment, like the little books guaranteeing one to speak like a native in 10 easy lessons or 5 hard ones, has, mercifully, passed into oblivion. Still, too many of today's classrooms resemble experimental laboratories with students serving as unwilling guinea pigs; and who is naive enough to expect students to bite the hand that holds the grade book? If a college in 1965 or 1985 cannot, as Cardinal Newman wished, know "her children one by one," it must certainly not become "a foundry, or a mint, or a treadmill."

Much of the student unrest on today's college campus is owing not to the fact that the social consciousness of this generation's youth glistens any more brilliantly than that of its father's. It comes about largely because students are unmotivated in their studies and find the experience of a college education dull, impersonal, repetitive, or simply a mechanized rat race. The major responsibility for ameliorating this unhappy situation rests with the teacher. Is it too much to ask that he free himself, first of all, from the enticements of the marginal educators: the lyric book salesmen, Federal bureaucrats, and efficiency experts? With such impediments gone, little should hinder him from giving of himself and his knowledge generously. It is not his concern that the entire class understands his every word; the "less equal" will be with us forever, no matter how great the society. Let him follow the advice of Mallarme who told the poets: "You have always been proud, be more so, become scornful."

The college teacher has but one aim: to reach and arouse those individuals who desire and expect nothing less than what they know, and the teacher himself knows, to be excellent. When intellectual honesty and a full commitment to teaching enter the learning process and students, as individuals not IBM cards, are taught to reason and distinguish, the future will have been well prepared and the present will have been not a sticky morass of hesitation and indecision but a meaningful period of growth.

DEATH OF JOHN I. SNYDER, JR.

Mr. JAVITS. Mr. President, I call the attention of the Senate to the death of John I. Snyder, Jr., an outstanding American industrialist, and one of the great leaders in dealing with the human problems engendered by automation. Mr. Snyder, who was chairman and president of U.S. Industries, Inc., and who died at an untimely age, testified before the Committee on Labor and Public Welfare and other committees of the Congress on many occasions. He was an outstanding figure in both business and the public interests, and was serving at the time of his death as a member of the National Commission on Technology, Automation, and Economic Progress.

I extend my condolences to his family, and to his firm and associates through which he represented so much for the American people of the best in American business. I ask unanimous consent that

an editorial on Mr. Snyder's passing published in today's issue of the New York Times be printed at this point in the RECORD.

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

JOHN I. SNYDER, JR.

No American industrialist showed greater sensitivity to the enormous human problems engendered by automation than John I. Snyder, Jr., chairman and president of U.S. Industries, Inc. His company pioneered in making equipment to be used in automating factories, and he never wavered in his conviction that this country had to avail itself fully and swiftly of new technology to raise living standards and maintain its competitive position in world markets.

But he believed equally strongly that management had to cooperate with labor and the Government in making certain that workers would share the fruits of increased efficiency and not pay the whole price of adjustment in mass unemployment. He taxed the machines his company built to finance a foundation to study automation's impact on jobs and to recommend constructive social solutions. His death at 56 deprives the Nation of one of its most creative thinkers in this field just when President Johnson had designated him as an adviser in pointing new paths for public policy.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. PROXMIRE. John I. Snyder, Jr., was a truly great American. He was one of those rare businessmen who are not only extraordinarily able and competent, but also had a true sense of compassion. He headed a $100 million business, employing more than 7,000 people. He made machinery, some of which was automated machinery. As the Senator from New York has indicated, he came to Congress and testified. He pointed out that there exists a very serious automation problem. It will not be solved automatically. It will require great concern and effort on the part of the Government.

Mr. Snyder's death is a great loss to our country. He was a rare and unusual person. I join the distinguished Senator from New York in extending my condolences to his family and to his associates. I agree that the passing of this fine and distinguished businessman, a great New Yorker, will be a real loss to all of us.

Mr. JAVITS. I am very grateful to the distinguished Senator from Wisconsin. I know that John Snyder's family, company, and associates will be, too.

IS PEACE CORPS FALTERING BECAUSE OF PART-TIME DIRECTION?

Mr. JAVITS. Mr. President, I wish to speak about a subject which has engaged my attention before and to which I again invite the attention of the Senate in the most considered way; that is, the effort to direct the Peace Corps and the Office of Economic Opportunity by one man. Distinguished, able, and talented though he is, Sargent Shriver is still one man, and he continues to serve not only as Director of the Peace Corps, but also as Director of the Office of Economic Opportunity, which operates the antipoverty program.

We all understand—and I feel certain that Mr. Shriver would be the first to agree with us—that neither the Peace Corps nor the Office of Economic Opportunity is a part-time job. I took the matter up with him and with those who represented the administration when his nomination was considered for the antipoverty struggle. I protested this action on the floor of the Senate when the nomination was confirmed, although obviously Mr. Shriver was much too good a man to have his nomination opposed on that account.

About a month ago, I asked Mr. Shriver how he was getting along in the two jobs. He answered as follows, in response to my letter of March 4:

I do not ask, however, to be continued in either of these positions, personally satisfying though they both are. I shall continue only to perform to the best of my ability in the responsibilities asked of me by the President as long as he requests me to do so.

Under those circumstances, the only court of appeals is the President of the United States.

I am not the only one who has noted this situation which persists, but it has come to the attention of others. Yesterday's New York Herald Tribune contains a column written by Roscoe Drummond, who points out exactly what I have been fearing for all these months—that is, that the Peace Corps is faltering; it is running down; it is getting old prematurely from lack of full-time direction. Mr. Drummond points out that Mr. Shriver, fine man though he is, is trying to fill two positions, each of which requires a full-time administrator. He says, for example:

For 14 months Sargent Shriver has been devoting all of himself to two full-time jobs—the war on poverty programs and the Peace Corps. He has devoted all of his energies for long hours every day at two full-time jobs. He has been almost succeeding at both. But not quite. The Peace Corps has been suffering; it is flagging; it is feeling lonely and somewhat neglected.

It seems to me that if the minority is to serve any function in the Senate, this is the kind of situation we must keep after; we must ask seriously and pointedly that such situations be corrected.

Surely there is no shortage of talent available to the administration for these positions. I have not heard of any situation in which the administration has been unable to find a good person for the job.

The Peace Corps and the antipoverty program are two of the most important programs in our Government; both of them are new and critically important. There are published reports that the Peace Corps is faltering. Many of us, too, have been deeply concerned about the administration of the antipoverty program. In my own city of New York, I had occasion only the other day to launch an inquiry by the minority staff of the Committee on Labor and Public Welfare to deal with problems raised in what seems to be a political struggle between two political groups, and which could result in tearing apart the antipoverty program in New York.

It seems to me that the President should place at the head of each of these two important agencies a talented, first-rate person who could give full-time attention to each program. I have no doubt whatever that Sargent Shriver should be one of those persons, but I would hope the President would appoint two persons, not one, for these two important tasks.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the article entitled "Peace Corps Falters," written by Roscoe Drummond, and published in the New York Herald Tribune of April 25, 1965; and also, to have printed another article in the Long Island Star-Journal, entitled "Recruitment Woes Plague Peace Corps," by Edwin J. Safford.

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

[From the New York Herald Tribune, Apr. 25, 1965]

PEACE CORPS FALTERS

(By Roscoe Drummond)

WASHINGTON.—The Peace Corps isn't what it used to be and is getting less so.

It is running down.

It is growing old—prematurely.

Something will have to be done soon to restore its verve, vitality, and vision.

I make this report as one who has viewed the Peace Corps with admiration. It is one of the most creative and constructive initiatives of the Kennedy administration. It provided a superb channel for the high idealism of American young people and very practical aid to many underdeveloped nations. Sargent Shriver launched it with great zest and with skill as a get-things-done administrator.

But the get-things-done spirit is slipping away.

Somebody has got to make something happen soon or the Peace Corps is going to get completely stuck in administration glue. As this happens, it will lose its flair, its fun, and its appeal to the most qualified volunteers.

Perhaps no one outside the agency itself can pinpoint what's gone wrong. But something has gone out of the Peace Corps and I believe the explanation is to be found in these circumstances.

1. For 14 months Sargent Shriver has been devoting all of himself to two full-time jobs—the war-on-poverty programs and the Peace Corps. He has devoted all of his energies for long hours every day at two full-time jobs. He has been almost succeeding at both. But not quite. The Peace Corps has been suffering; it is flagging; it is feeling lonely and somewhat neglected.

2. For 16 months the Peace Corps has been without the services of its generative Deputy Director Bill Moyers, President Johnson's young Texan aid, who was loaned to the White House for a few days right after the assassination—and hasn't been back since. Thus, for 14 months the Peace Corps has had only a part-time Director and for 16 months no Deputy Director. The team of Shriver and Moyers has been split too many ways.

At one stage Moyers tried to lend a helping hand at the Peace Corps. He set himself to attend regular staff coordinating meetings and, when he found he could only get to two out of the first six, he gave up.

3. Others may see it differently, but it seems to me that the Peace Corps has made one grave mistake in administrative policy. It has been racing into expansion for its own sake; it has engaged itself in a numbers

game which is hurting the quality of its volunteers and impairing its work abroad. It has been unwisely setting unattainable goals of more volunteers in more countries in more kinds of activity year after year.

It started out the first year after its Congressional authorization with the manageable goal of 3,500 volunteers. There were plenty of applicants qualified and eager to join.

Now the Peace Corps is asking Congress funds for a 17,500-man Peace Corps. But the truth is it can't expand to 17,500 without beating the bushes on every campus, without pleading for volunteers, and without resorting to a hard-sell recruitment which dilutes the very volunteerism of the Peace Corps itself.

In some countries abroad the Peace Corps people are running into each other and running over each other.

Let's be clear on one point. You can slice Mr. Shriver down the middle and I admit you will get a good one-and-a-half people. But not two for two full-time jobs.

The Peace Corps needs either all of Sargent Shriver or somebody like him soon—or else.

[From the Long Island Star-Journal, Apr. 22, 1965]

RECRUITMENT WOES PLAGUE PEACE CORPS

(By Edwin J. Safford)

WASHINGTON.—A recruiting program that did not grow as fast as hoped has forced the Peace Corps to lower its planned growth rate.

Reliable Government sources have indicated the agency's Director, Sargent Shriver, later this spring will ask Congress for less money than originally planned.

Although the new request, $115 million, is an increase of nearly $11 million over last year's congressional appropriation, it is still an admission that the Corps cannot field as many volunteers in its next recruiting year as called for in a 5-year schedule dictated by President Johnson.

Johnson wants 20,000 corpsmen in the field by 1969.

Currently the Corps is striving to meet its target of 13,710 by the end of this August.

The Peace Corps recruiting year roughly coincides with the school year because many projects involve teachers.

If present estimates hold, the Corps will have 15,110 volunteers abroad by August 1966, the end of its next recruiting year. This means it will have to step up recruiting if it is to meet the President's target, Peace Corps officials acknowledge.

Spokesmen for the Corps say recruiting is their No. 1 problem. Shriver has made the entire professional staff of the agency's Washington office available to the recruiting division.

Almost every ranking staff member at one time or another has found himself on a college campus speaking to potential volunteers and administering placement tests.

The Corps' Associate Director for Public Affairs, Robert L. Gale, says the Corps gets an average of $23 million a week in free advertising from national advertising agencies and news media. In 1964, he said, the Corps was the third largest recipient of public service advertising time and space.

Yet the acceptance rate on applications for the past 12 months is only slightly higher than for the previous 12 months. Corps officials concede they had hoped for a 20-percent increase.

The quality of the new corpsmen, spokesmen stress, is higher than in previous years. They hold more college degrees, but have somewhat less professional experience than their predecessors. Their average age is lower, having dropped from 25 to 24.

But the original enthusiasm which President Kennedy generated seems to have dissipated. There is less excitement about the corps on college campuses—the main source of volunteers, recruiters report.

Recruiting also has been hurt by reports that returning corpsmen are having trouble finding jobs.

Although the problem exists and was publicly explored in a conference held in Washington this year, the corps says it was blown out of proportion. Most returned corpsmen are gainfully employed or have returned to school, corps officials say.

Potential male volunteers are still wary of the draft, not wanting to yield 2 more years of their lives. Although the vast majority of returnees have been exempted, a few have been drafted. One draft board, a corps spokesman noted sadly, has conscripted every eligible returnee.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment of the Constitution of the United States.

Mr. HART. Mr. President, the amendment offered by the distinguished Senator from Delaware relates to a phrase of the bill to which the committee has given consideration. It will be noted that some changes were made in the bill as it was reported back to the Senate. This, in part, reflects a concern that the committee felt following testimony that was offered to us by the Senator from Delaware during the hearings.

I believe it is his feeling—certainly it is my feeling and, I believe, the feeling of the majority of us—that the amendment is one of extraordinary scope and sweep. The great danger that we apprehend is the likelihood that the amendment would reach the activities of and impose limitations on those which most of us agree should not be prohibited. Let us look at it in that light. The possibility is present that the League of Women Voters, for example, undertaking a campaign, as it does—and for which we are all grateful—to persuade people to register and vote, would find themselves seriously impeded, if not challenged as in violation of this amendment.

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

Mr. HART. I yield.

Mr. WILLIAMS of Delaware. Will the Senator cite the language in this proposal which would in any way restrict the League of Women Voters or any other organization from publicly encouraging the right of a person to vote?

Mr. HART. It refers to anyone who "pays or offers to pay or accepts payment either for registration or for voting."

Mr. WILLIAMS of Delaware. That is true, but has the Senator ever heard of the League of Women Voters buying votes?

Mr. HART. No; and I am sure that they would want us to assure the readers of these remarks that they have not done so.

Mr. WILLIAMS of Delaware. That is correct. The League of Women Voters would be the last organization in America that would ever be in violation of this amendment. Nor would the amendment affect any other organizations unless it were going to buy votes. I do not understand the Senator's argument.

(At this point, Mr. MONTOYA assumed the chair.)

Mr. HART. Mr. President, what does the Senator from Delaware mean by "payment in kind"?

Mr. WILLIAMS of Delaware. It does not mention "payment in kind." It says "to pay or accept payment." In some areas voters are paid in cash. In other areas it is said voters are given a quart or a pint of liquor. Giving a fifth or a pint of liquor for a vote is buying just as much as if the payment is in cash. It is the payment of something of value. There is no misunderstanding on that point.

I do not think that is what is disturbing the Senator from Michigan. Furthermore, that is the identical language that is used in the bill already.

Mr. HART. No. The thing that disturbs us is the omission of the words "fraudulent" and "illegal."

On this question of payment in kind, what about the use of the automobile that is provided to a person for carrying him to the polls to register or to vote? What would be the interpretation in that kind of situation?

Mr. WILLIAMS of Delaware. We are talking about whether a man is paid to vote. The Senator keeps referring to "payment in kind." Where does the Senator find any such language as that? I should be glad to answer the question. But I do not find the language in my amendment.

Mr. HART. Would the amendment cover that kind of service or payment?

Mr. WILLIAMS of Delaware. No. It would not cover transporting workers or voters. However, it would cover any situation in which a man is paid to vote, just as the bill proposes to deal with it to a small extent. On page 30 of the bill it is stated "or pays or offers to pay or accepts payment either for fraudulent registration or for illegal voting."

The only difference between the committee bill and my amendment is that I strike out the words "fraudulent" and "illegal". The inference here is that if it is a legally cast ballot it is all right to pay him.

It is just as wrong to pay a man to vote once as it is to pay him to vote the second time. That is what we are debating here.

Interpreting the committee bill narrowly, it would be a crime for a man to pay someone to register if he is illegally registered or if he voted twice, which would be an illegal vote. However, if the man is legally registered and casts his vote legally, as I interpret the committee bill, the man can be paid. Surely that is not what the Senate is trying to say in the bill. If we are not trying to say that, why not accept my amendment and strike out the word "fraudulent"? That is all I am trying to do. According to the language of the bill it is only when one buys an illegal vote that it is a crime to buy the vote. The amendment does not involve transporting people any more than the committee bill does.

Mr. HART. What about the practice which is, I understand, accepted in many regions of the country, whereby an em-

ployer, without docking the employee for the time involved, permits an employee, indeed, encourages the employee, to go to the polls to vote, or to the courthouse to register?

Mr. WILLIAMS of Delaware. That is not affected either by the committee bill or by my amendment. I asked that question of the legislative counsel.

Mr. HART. The law, as the bill is presently written, we feel, is adequate to meet the problem of racial discrimination in the election process. If additional legislation is sought, which would have the effect of being a general prohibition of corrupt voting practices—if that is necessary—we feel strongly that it is so serious a crime and may reach areas so lacking in understanding that it should be done only as an individual action. We feel that to consider two subjects as different as racial discrimination and corrupt voting practices in the same bill is a mistake.

Mr. WILLIAMS of Delaware. I cannot understand that reasoning at all. I fully agree with Congress taking whatever action is necessary to guarantee that every man has the right to vote without any regard to his race, religion, nationality, or any other element of his background. I agree to that principle and shall support it. But it is equally important that we have a clean election—the committee bill deals with this question only partially by making it a crime when the man votes the second time and is paid for his second vote.

As I interpret the committee bill a person can go out and buy all the votes he wants to in an election, and he would only be violating the law if the payment were made to those illegally registered or to those who cast an illegal vote such as two votes on the same day.

If Congress is against vote buying let us be against vote buying. This is an evil that can develop in the State of Delaware or in the State of Michigan as well as in the South.

I think it is very important that we have clean elections as well as to guarantee the right to vote to every man. Let us do the job right. As I see it, the committee has already crossed the bridge of determining whether to go into this field. On page 29 and 30 it is proposed that we consider this subject. If we do, let us do the job correctly and not merely adopt a lot of flowery language that in effect means nothing.

Mr. HART. The Senator from Delaware suggested that by not having explicitly prohibited the payment of anything to a person for voting, that the committee bill, or the bill that a majority of the committee reported back, opens the door to that or invites that action. Would the Senator not agree that the existing legislation in the corrupt practices field fully protects against this action?

Mr. WILLIAMS of Delaware. I thought it did, but I also thought we had guaranteed the right to vote. The Senator from Michigan will likewise agree that it has not worked in actual practice. It has not accomplished that end.

Mr. HART. Where does the record show that?

Mr. WILLIAMS of Delaware. Just one moment. I thought we had adequate statutes to guarantee the right to vote to every man. When I returned home last year after the passage of the Civil Rights Act of 1964 I said that we had guaranteed the right to vote to every man. I am sure that the Senator thought so, too. However, it appears that we had not done that job and will have to go further and enact another bill. The Senator will agree with me that we do have situations of voting frauds that either are not covered under the existing law or where there has been a failure on the part of the people in charge of enforcing these laws to enforce them.

In either event what harm does it do to spell it out all over again? If we have the provision in the law, we do not do any harm to anyone to spell it out again and let the people know in very clear language that it was the intention of Congress that vote buying or illegally registering be a Federal crime.

Mr. HART. Mr. President, the existing criminal statutes, I think, go clearly to those causes of action which the Senator from Delaware has enumerated as objectionable.

They reflect, incidentally, the rather long and careful study by Congress, culminating some years ago in a revision of the Corrupt Practices Act.

The language that disturbs me in the proposal of the Senator is: "or pays or offers to pay or accepts payment." Absent a careful committee hearing analysis, very responsible persons close to the enforcement of election laws have a concern that it might force public service announcements off the air. The activity of the Advertising Council of America, in which activity money is expended, may be brought into question.

This is indeed not my opinion alone. It is a concern that has been faced by those in the Department of Justice who are charged with enforcement of our criminal statutes.

Mr. WILLIAMS of Delaware. The words "pays or offers to pay or accept payments" are words that are already in the bill. They are supported by the Department of Justice.

Mr. HART. Yes; but the language is held to the sanctions or penalties for the practice only if it is in connection with fraudulent registration.

Mr. WILLIAMS of Delaware. That is correct. Now we are getting down to the question. Do we want it to be proper for someone to get paid for registering or voting?

An official in the Department of Justice who wanted to remain unnamed—and I do not know why he should be ashamed to use his name—said:

> What is wrong with paying a man to vote as long as you do not tell him how to vote?

He said:

> We encourage 100-percent participation in elections.

That is a theory that is entirely too prevalent in many quarters. Are we to proceed on the theory that we are to allow a man to pay for a vote so long as the man does not know how he is going to vote? Some political figure may calculate that 80 or 90 of these votes will be on his side, so he will pay them all to vote. Is that what the committee and the Department of Justice are condoning?

Let us determine whether the Department of Justice is going to take the position that it is all right for a man to pay another to vote so long as he votes only once.

Mr. HART. Of course not.

Mr. WILLIAMS of Delaware. Certainly, it is not. So far as the language about which the Senator from Michigan is expressing concern and so far as the language about which the Attorney General is expressing concern I point out that it is exactly, word for word, the language I have taken out of the bill. The only changes made between the committee language and my amendment were to strike out the word "fraudulent" before the word "registration"—because I think it is just as wrong to pay a man to register whether he registers rightly or wrongly—and to strike out the word "illegal" before the word "voting," because I think it is wrong to pay a man to vote under any circumstances. The fact that he was legally registered and cast a legal ballot does not make it right to pay him. The committee amendment provides for a penalty only if he votes twice or if he is illegally registered.

Mr. HART. We are anxious to see that there is no effort to discourage registering and voting in every State of the country. We feel that the language of the committee as considered, where it is directed against fraudulent registration or voting, is safeguarded against any threat or intimidation. With reference to those who would actively seek to encourage participation, with the elimination of the word "fraudulent" as the Senator's amendment would do, we have very serious concern that it might be possible to mount a scare campaign that would keep on the sidelines those who legitimately seek to encourage voter participation.

Mr. WILLIAMS of Delaware. I do not see that at all.

The bill as reported by the committee would make it a crime to pay anybody who had fraudulently registered or given false information in his registration. Does the Senator mean by that that he considers it right to pay a person $10 to register so long as he is registered properly? Does the Senator take that position?

Mr. HART. No; the Senator from Michigan does not.

Mr. WILLIAMS of Delaware. Does the Senator take the position that it is all right for such a person to get paid to vote so long as he is legally registered and votes legally or only once?

Mr. HART. No; but what if I want to make him think about getting off from work to vote?

Mr. WILLIAMS of Delaware. That is not the issue at all. There is no disagreement on that point.

Mr. HART. Are we certain that it could not be said that this is in effect a payment, without analysis and consideration of this language?

Mr. WILLIAMS of Delaware. The bill as reported by the committee uses similar language. Assuming that the Senator from Michigan is correct, the same interpretation could be applied to the committee language; if the employer gives a person time off to vote and then the employee votes twice, it is not the employer's fault. That is a useless argument. It is not the point being debated at all.

If the Senator is going to interpret the law that narrowly we both could be accused of having been paid for voting in the last election because we were both on the Federal payroll on election day. If such a narrow interpretation as that were applied nobody could register or vote in the United States. There is nothing in the Corrupt Practices Act as it exists, nothing in the committee language, and nothing in the language of the amendment which affects this point at all. I think that is as clear as it possibly could be.

Mr. HART. Would the Senator from Delaware concede that it would be very undesirable for us to adopt, without a hearing, an amendment which could have the adverse effect which I suggest is possible under that language?

Mr. WILLIAMS of Delaware. Oh, yes, I agree with that statement. That is the reason I offered the amendment in the committee and presented testimony before the committee. There was a great deal of hearing on this proposal. I am only offering an amendment upon which hearings have been held. I agree with the Senator fully. That is an argument for my amendment.

Mr. HART. The committee adopted, in part, some of the suggestions made by the Senator from Delaware. Would the Senator agree that inasmuch as this concern has been faced as a continuing concern by the Department of Justice, namely, the language of the Williams amendment as drafted, the possibility remains that laudatory efforts to increase citizen participation might be jeodardized? That being the case, would the Senator from Delaware permit us to send to the Department of Justice for an opinion? I do not believe Senators would want to adopt the language if it had the effect I have suggested.

Mr. WILLIAMS of Delaware. If the Senator from Michigan can obtain a statement from the Department of Justice, I shall be delighted. I have been trying for a week to do so. I asked the Justice Department if there were any objections whatsoever to the language of my amendment and if so, what they were. The truth is that the Department of Justice does not want to go on record against an amendment that has much merit. The Department of Justice recognizes that in some quarters adoption of the amendment would not be popular with certain political groups, and it wants to keep in good grace with everybody. I point out, however, if the Department of Justice had wanted to say something against it, it could have said so in committee. The Attorney General testified before the committee. I testified on it. At no point has a Department of Justice official publicly made any objection to it. Quietly, they say, they would rather not have this amendment. One unidentified official in effect said, "Really, if a man is legally registered, or if he has not registered and will legally register, or if he casts his vote legally what is wrong with paying a man $5 or $10 if we get him to vote without telling him how to vote?" Apparently that is all that concerns the Department of Justice. That is the reason why I am not concerned about the objections of the Department, because there is nothing wrong with the amendment. The committee staff and legislative council drafted the language of the amendment. The committee has approved a part of that language; namely, "pays or offers to pay or accepts payment." By no stretch of the imagination is it intended that this be interpreted to mean that an employer could not let a man off from work to vote any more than to mean that you and I could not to draw our checks from the U.S. Government while voting on election day. This is a policy all over America. It is part of our election system. But that is not paying a person to vote under the committee bill, nor is it under my amendment.

Mr. HART. I would be anxious to insure that it not be possible for that kind of interpretation to be accepted.

Mr. WILLIAMS of Delaware. It is already clear in the bill.

Mr. HART. The reason I suggested a communication from the Department of Justice is that although the Attorney General testified for 2½ days before the Committee on the Judiciary, the amendment of the Senator from Delaware—along with many others—was not discussed with the Attorney General. The Senator from Delaware came to the committee on the final day of the open hearings, as I recall.

Mr. WILLIAMS of Delaware. That was as soon as I could get an opportunity to testify.

Mr. HART. The Senator is correct.

Mr. WILLIAMS of Delaware. As soon as the committee could arrange to hear me.

Mr. HART. The Senator is correct.

Mr. WILLIAMS of Delaware. When the committee first started its hearings I filed an application to testify. I was glad the committee could arrange for my testimony.

Mr. HART. I understand. Let me point to the great concern we felt, but before leaving that phase of it, is the Senator aware that the Corrupt Practices Act does not quite reach, specifically. Why do we do this?

Mr. WILLIAMS of Delaware. I cited certain cases——

Mr. HART. Was not the Senator's answer that if the law now reaches it, there is no harm in adding language such as the proposed amendment?

Mr. WILLIAMS of Delaware. Yes; I said that.

Mr. HART. If the Corrupt Practices Act does not inhibit any of these worthwhile community agency efforts to register, why has there been this concern that the language might inhibit it? For that reason, I should like very much to have in the RECORD a comment from the Department of Justice concerning it.

Mr. WILLIAMS of Delaware. If I could get a reply to my inquiry from the Department of Justice, I would put it in the RECORD, no matter what it is. I cannot guarantee such a reply because I learned long ago that one cannot make the departments and agencies of the Government answer their mail. But I have officially asked the Department of Justice for comment on this amendment and as yet have received no reply.

Mr. HART. Clearly, the Corrupt Practices Act reaches expenditures which are paid to influence voting. There is no doubt in our minds about that.

Mr. WILLIAMS of Delaware. By the same token, as I told the Senator, if the law already provides for it there should be nothing wrong in putting in the wording again.

Mr. HART. Unless the addition of the language now before us would have the effect of reducing the freedom now enjoyed under existing law——

Mr. WILLIAMS of Delaware. But it does not.

Mr. HART. Which the other communities have.

Mr. WILLIAMS of Delaware. It would not destroy any freedom now being enjoyed except the freedom to buy votes. It would restrict the freedom to buy votes.

Mr. HART. The freedom to buy votes is not available today under the Corrupt Practices Act. I thought we had agreed on that.

Mr. WILLIAMS of Delaware. I agree that it is not being enforced.

Mr. HART. Where? That is a very serious charge.

Mr. WILLIAMS of Delaware. In the courts. There was one case in Illinois, in one precinct, where 82 votes were cast and only 27 persons lived in the district who were qualified to vote.

Mr. HART. Was nothing done about that?

Mr. WILLIAMS of Delaware. Not to my knowledge.

Mr. HART. At least, attention was called to it.

Mr. WILLIAMS of Delaware. Yes. Most of the cases were dismissed.

Mr. HART. But something was done about it.

Mr. WILLIAMS of Delaware. They were dismissed on the basis that it would not change the course of the election.

Mr. HART. But something was done.

Mr. WILLIAMS of Delaware. If you call that something. The Senator is not trying to tell me that he is so innocent or naive that he has never heard of vote buying in the United States?

Mr. HART. That is exactly the reason I do not know. What is the need for this wording when it is already very clearly in existing law, which prohibits what the Senator states he is trying to get at?

Mr. WILLIAMS of Delaware. It would be made a Federal crime. It would be specifically spelled out. By the same token, it is my understanding that a section of the 1964 Civil Rights Act which Congress has enacted into law guaranteed to every American citizen the right to vote. There are laws on the statute books today which guarantee to every

man the right to vote without enactment of this 1965 voting rights bill, but apparently they are not working. There are those who say we need the additional legislation. I shall not quarrel with the fact that we now pass another bill even though there is a question in the minds of some as to whether we are trying to excuse the Department of Justice for its failure to enforce existing laws. I shall not go into that question. If we do not have adequate laws providing what we believe should be done and what we thought we had done before, let us do it over again. Just as there are many citizens in the country today who are not being granted the right to vote—I know it, and the Senator from Michigan knows it—by the same token, we both know that there are areas in the country where votes are being bought and sold. Let us be frank and correct both situations through this bill.

Let us face the situation. Let us correct both situations. In either instance, if we are duplicating some of the existing laws, so be it; but at least when we pass the pending bill we can tell the American people that we have done these things: Enacted legislation which we believe will guarantee every man the right to vote; that the vote can be counted only once; and that it cannot be canceled out by an illegally cast ballot. Let us do this with the best intentions in both these sections. I see no objection to the amendment. As I said before, hearings were held on the point. The committee in part approved the principle to the extent that we make it a Federal crime for anyone to pay, offer to pay, accept payment for voting twice, or for registering illegally.

Let us not leave the inference that if a man votes only once or if he registers legally he can be paid. If we adopt the committee amendment we shall be weakening what both of us thought was existing law.

Mr. HART. Existing law is the one thing we can be sure of in this debate which puts the "kibosh" on the person buying a vote. There is no doubt about that.

Mr. WILLIAMS of Delaware. It does, if it is fraudulently registered——

Mr. HART. Or otherwise.

Mr. WILLIAMS of Delaware. Or otherwise.

Mr. HART. The Senator is correct. Therefore, why add language which reads parenthetically not alone for Federal, but State and local elections, which opens up the possibility that in so doing we may give legitimate concern to organizations which have participated in a perfectly healthy and worthwhile civic effort to improve registration and increase voting, confident that under existing law, which prohibits the buying of votes, nonetheless, they may freely voice their civic prerogatives.

Concern now is voiced that by adding this language we shall do nothing to improve the Corrupt Practices Act, but we may improve it if we can reduce the willingness of civic leaders to effectively participate in registration and voting rights. This is the one concern.

Mr. WILLIAMS of Delaware. Will the Senator from Michigan yield further for a question?

Mr. HART. I am glad to yield.

Mr. WILLIAMS of Delaware. In just what manner could the pending amendment bring about the dire results which were predicted any more than the language of the bill itself?

Mr. HART. For the reason that I am concerned that we should obtain the reaction of the Department of Justice in writing before we vote on the amendment. There is concern that the language could lend itself to the techniques which would inhibit the right to register and vote in quite legitimate fashion. It is suggested that campaigns could be launched. The amendment is so broad that it might give added comfort to those engaged in certain practices. The Senator might not wish to do that.

Mr. WILLIAMS of Delaware. Certainly I do not. I wish the Department, if it makes any such claim, to point out just where the pending amendment would bring about such dire results and at the same time to point out how the language in the bill would not. The only difference between the language in the pending amendment and the language reported by the committee and supported by the Senator from Michigan, is that the pending amendment provides that it shall be a crime to buy votes—whether a man votes legally or illegally.

This amendment says it is a crime to buy votes—period.

The bill the committee reported provides that it shall be a Federal offense to buy votes only when illegally cast, which means after a man has voted twice. It is ridiculous for the Department of Justice to state that it is against a man being paid to vote twice but not against a man being paid to vote once. I would like to read the Attorney General's statement on that point. It is like saying that it is all right to break into a filling station once, but if a person does it twice he is violating the law.

Mr. HART. I believe we should reserve the vote on the amendment until we give the Attorney General an opportunity to say how his concern is founded on that language.

Mr. WILLIAMS of Delaware. I shall be delighted to obtain the opinion of the Attorney General. I have been trying to get it for some time and, when I get it I will put it in the record. I have no objection to holding up a vote on the amendment until we hear from the Attorney General, but I wish the RECORD to show that I am not delaying the vote. I am ready to vote now. The amendment has been pending for 6 weeks. It was in committee when the Attorney General testified before the committee. He knew about it at the time. He could have testified on this point had he wished to do so.

I do not understand the position of the administration in saying that they would be willing to make it a Federal crime to be paid to vote a second time but if it is found that an individual got paid for voting the first time it is quite all right. I do not understand any such reasoning.

Mr. HART. No one believes that this is the position of the administration.

Mr. WILLIAMS of Delaware. That is the effect of its argument.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. ELLENDER. I understood from the earlier statement of the distinguished Senator from Delaware that it was his idea that striking out the words "under this Act," which appear in the pending bill would have the tendency of covering all situations in all elections. I wonder if that is what the Senator meant?

Mr. WILLIAMS of Delaware. That is the second part of the amendment.

Mr. HART. That is the second part, which I was about to discuss.

Mr. ELLENDER. I would like to have the Senator's view on that point.

Mr. HART. Mr. President, the proposed amendment, as the Senator from Louisiana immediately sensed, applies to State and local elections, as well as to Federal elections. That question, whether Congress has the power to insure fair election procedures in State and local elections, unless they are related to insuring the guarantees under the 14th and 15th amendments, is a very open one and a very serious one. This is the second reason which persuades us to hope that the amendment will not be agreed to.

With respect to this one, it does not hinge upon an elaboration from the Department of Justice as to why the additional language offered by the Senator from Delaware might inhibit decent citizens from assisting in registration and voting. It involves the basic question with respect to constitutionality.

Mr. WILLIAMS of Delaware. The Senator has raised that same point, and I commented on it earlier in my remarks. Both the committee and the Senator from Michigan have supported section 9——

Mr. HART. The manager of the bill is the senior Senator from Montana.

Mr. WILLIAMS of Delaware. The Senator from Michigan is speaking at the moment. He supported section 9 of the pending bill, as it appears on page 24, and that section is applicable to every State in the Union. The committee has already broadened the bill to include the 50 States of the Union. Therefore the Senator from Michigan answered that question when he reported the bill.

Mr. HART. If the Senator will yield——

Mr. WILLIAMS of Delaware. It is just as wrong to buy a vote in Michigan or in Delaware as it is to buy a vote in Alabama or Louisiana. I am sure the Senator does not wish to take the position that it is a crime to buy votes in certain Southern States but it is quite all right to buy votes in Chicago, New York, Michigan, or Delaware. In reporting the bill the committee recognized the right of the Federal Government to go into all States because section 9 reads: "No State or political subdivision—" In that way the committee has already moved into that

area. It has already answered the question as to whether we should move into this broad area.

Mr. HART. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. When the committee included the 50 States and guaranteed the right to vote in the 50 States, it has a responsibility to see to it that it is done honestly.

Mr. HART. Mr. President, the basis for the action on the poll tax is squarely connected with our rights under the 15th amendment, which prohibits any action by the State which would discriminate against anyone in voting because of race or color; and the 14th amendment, which prohibits State action that denies the equal protection of law. We believe strongly that the two constitutional amendments sustain our effort to outlaw the poll tax. This does not go to the question of criminal actions in local and State elections which are not related to discrimination.

Mr. WILLIAMS of Delaware. Under which constitutional amendment does anyone have the right to buy a vote?

Mr. HART. None. Clearly the Federal Government prohibits it with respect to Federal elections.

Mr. WILLIAMS of Delaware. Correct, and I say Congress has a right to spell out provisions against it. This amendment does not go beyond the area that is already covered by the bill reported by the committee.

Mr. HART. Mr. President, the bill seeks to outlaw the poll tax. It does so on the basis of the 14th and 15th amendments. We know there is economic discrimination and racial discrimination. Both amendments permit us to move into State and local elections on that basis. There is a question as to whether, in the absence of discrimination of that type, we can establish a criminal act in a State or local election with respect to vote buying and registration support.

It is for that reason that the amendment should not be added to the bill. We feel that the existing code with respect to corrupt practices prohibits the buying of votes. That is one thing we can all agree on. Admittedly the bill does not reach State or local elections. That is because of the second reason, which persuades us to oppose the amendment. It is the constitutional question. Unless there is discrimination, there is grave question as to whether we could reach it. That treatment, given in the proposed amendment to the bill, responds with reasonable effectiveness to the concern expressed by the Senator from Delaware. Basic to this apprehension on our part, as the Justice Department has reported, is the point that this may have the effect of defeating very worthwhile efforts to raise voter participation, not alone in the South, but all across the country. It is for these reasons that we recommend that the amendment be not adopted.

With respect to the first reason, as to how it would inhibit community efforts, I would be perfectly willing to defer a vote on the amendment, if the Senator from Delaware is willing, until we have had an expression from the Attorney General. However, in all fairness I should state that we would still oppose the amendment on constitutional grounds, regardless of what the Attorney General said on that point.

Mr. WILLIAMS of Delaware. I have no objection to getting the Attorney General reports and I recognize the right of the Senator from Michigan to be against the amendment no matter what the Attorney General says but I do not have to agree with him.

We have just as much right to move into this field of establishing clean elections as we do in any of the other fields. I am not trying to restrict the right to vote or the right to register. I shall support those provisions in the bill. Here we have one of the weaknesses of existing law. Some time ago I had correspondence with the Attorney General's office in Washington on some corrupt practices in our State of Delaware, and I received the reply from the Attorney General to the effect that if I could show that certain money was used to pay for votes for that portion of the ballot which referred to national offices the Attorney General would prosecute, but in effect he said that if it related to vote buying for State offices he would have nothing to do with it.

If national and State officers are listed on the same ballot how could I as a layman prove what vote a man might have been paid $10 for? How could it be shown what part of a vote had been paid for when the man who had been paid voted a straight ticket?

I think it was an excuse on the part of the Department of Justice, which did not want to prosecute fraud in that election. In that instance it would be up to me as an individual to prove that the money was used for the benefit of Federal candidates running at that election and to prove that it was not for the use of those running for State office.

If my amendment were adopted no Attorney General could come back with any such flimflam excuse. He would have to prosecute such a case regardless. That is the heart of the whole question. I am glad that the Senator from Michigan raised the point because now we are getting down to the issue of what is wrong with existing law. Do we wish to exempt under some flimflam excuse the right of someone to buy and sell votes, or do we wish to break up the practice? If we wish to break it up we should desire to break it up entirely, whether a voter is voting once or twice, whether he is voting the Democratic ticket, or whether he is voting the Republican ticket.

Whether he is voting for a national candidate or for a State candidate, if a person is being paid, he ought to be prosecuted. The person who is paying him should be prosecuted also.

Mr. President, that is all we would do under the pending amendment. We would cut through all that redtape. I shall be delighted to read the objections if the Attorney General of the United States can raise any.

Mr. HART. Mr. President, the Constitution of the United States is neither a flimflam excuse nor a piece of redtape. Let us get that clear.

Mr. WILLIAMS of Delaware. No one has said that it was.

Mr. HART. The interpretation of the Senator has not persuaded me that that is really what is involved. The Attorney General very properly would refrain from bringing criminal cases arising out of State or local elections. Merely adding such a provision to the bill would not add a constitutional right if none theretofore existed. The concern that we have is that for us to pass local election laws, unless they are tied to the 14th and 15th amendments, would clearly constitute an unconstitutional action.

Mr. WILLIAMS of Delaware. That particular situation involved a road contractor who was trying to obtain a contract for building a road that was being built partly with Federal funds and partly with State funds. He was approached and asked to make a contribution to the campaign and promised that in turn he was to get the contract. Supposedly we have laws prohibiting corporations making political contributions, particularly under such circumstances. We have laws to prohibit kickbacks on contracts in which Federal money is involved. However, in that case the Attorney General came back and said that unless I could prove that the payment was made and that the money was used for the purpose of attempting to elect national candidates who were on the ticket that year there was nothing he could do about it.

I say again that it boils down to the following question: Are we for clean elections or are we not? The committee itself has already gone part way. The bill which was reported by the committee and supposedly supported by the administration provides that it shall be a Federal crime if anyone buys an illegal vote or pays a person to register fraudulently. If the voter voted a second time it would be a Federal crime if he were paid, but under the bill he could be paid if he should vote only once. So far as the bill is concerned there is nothing against that possibility.

Surely that is not what the committee means to do.

On the other hand, a person might be paid $5 or $10 to register. If he should register properly all well and good, but if he should register illegally the person who registered and the person who paid him would be subject to a fine. I think it is silly to approach the problem in any such manner. Either we are against the practice of vote buying all the way across the board or we are not. The committee itself, in section 9 of the bill, has already made the determination that it will deal with elections in all 50 States. I understand that this provision was supported by the Senator from Michigan. A majority of the committee, including the Senator from Michigan, thought that we had a constitutional right to adopt that provision. I agree with the Senator.

Mr. HART. The Senator is now speaking of the poll tax provision.

Mr. WILLIAMS of Delaware. Yes. I agree with the Senator on that. I shall

support him on that provision. At the same time in supporting him in reference to that provision and agreeing with him on that I maintain also that we have the right to go into the same 50 States on the same principle and say that clean elections shall be held in those States.

Mr. HART. The Senator knows that we do not attempt to reach State or local elections with a criminal sanction on payment for fraudulent registration in voting. Why? Because we had very grave doubt that on that basis we could. It is that point to which I reply. It is not a piece of redtape or flimflam. It is a very serious problem.

Mr. President, I understand that the Senator from Oregon has a point of personal privilege that he wishes to make. I yield to him for that purpose.

VIETNAM—PERSONAL STATEMENT BY SENATOR MORSE

Mr. MORSE. Mr. President, I ask unanimous consent that I may take the floor for such time as I think necessary on a matter of personal privilege.

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

Mr. MORSE. Mr. President, to lay the foundation for my discussion of this question of personal privilege, I ask unanimous consent that the brilliant argument and speech made by the Senator from Alaska [Mr. GRUENING] at the Students for a Democratic Society rally held in Washington, D.C., on April 17, 1965, at the Sylvan Theater be printed at this point in my remarks. I also ask that it be followed by a column written by Murray Kempton for the New York World Telegram of April 23 concerning a debate between Senator GRUENING and Assistant Secretary of State William Bundy.

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

REMARKS BY SENATOR ERNEST GRUENING, DEMOCRAT, OF ALASKA, AT RALLY OF VIETNAM SPONSORED BY STUDENTS FOR A DEMOCRATIC SOCIETY AT SYLVAN THEATER, APRIL 17, 1965

Thank you for inviting me to speak to you this afternoon on the undeclared war in Vietnam.

It is particularly gratifying to me, in addressing similar groups such as this from coast to coast, to find on university campus after university campus both the faculties and students discussing in an informed and informative manner the issues involved in Vietnam.

The extensive use of teach-ins is a promising and welcome development.

Such discussions of the pros and cons of the U.S. position in Vietnam are healthy in a democratic society such as ours. Your right to petition the Congress is a right guaranteed by the Constitution—it is a right forming the very cornerstone of that Constitution—it is a right which you are exercising today in protesting against the continuation of the present U.S. policies in Vietnam—policies which violate the basic principles upon which our democracy was founded and which has heretofore distinguished our Nation from the totalitarian, Fascist, and Communist governments of the right and the left.

The United States has always stood for government by the people—government by majority rule—with full protection for the rights of minorities.

But the course of action followed by the United States in Vietnam under three separate administrations has not been governed by adherence to the principle of government by the consent of the governed.

It is not sufficient to justify the U.S. actions in Vietnam in supporting oppressive governments in South Vietnam on the ground that the government of North Vietnam is a totalitarian, Communist government and likewise does not represent the will of its peoples, who have been deprived of their rights.

We should not be surprised when Communist nations act like Communist nations.

But we should be surprised when the United States, which has been in the forefront of the fight to free oppressed peoples throughout the world, has for 10 years now backed oppressive governments in South Vietnam, and in support of which the United States has now escalated its military actions into North Vietnam.

The roots of the present dilemma facing the United States in Vietnam go back to our decision to back France after World War II when it sought to regain Vietnam as a colony of France.

That was a serious mistake on the part of the United States.

Anticolonialism has been the longstanding policy of the United States. We have sought no colonies for ourselves. We should not have backed the French when they sought to reimpose the yoke of colonialism upon the people of Vietman.

The United States supported France in its colonialization efforts in Vietnam to the tune of $2 billion.

In doing so, the United States became identified with France in the minds of the Vietnamese who were fighting for their freedom from any sort of foreign rule. The people of Vietnam fought as strongly against the French as they had fought hundreds of years before to oust the Chinese.

With the decisive military defeat of the French at Dien Bien Phu in May of 1954, it became evident to the people of France—as it should have become evident to the people of the United States long since—that the war in Vietnam was not to be won on the battlefield, but was a political struggle and could and should be settled at the conference table.

Then came the Geneva conference attended by representatives of France, the United States, the United Kingdom, Soviet Russia, Communist China, Vietnam, Cambodia, Laos, and the Vietnamese Communist regime.

At Geneva, the conferees agreed to four conditions:

First. Vietnam was to be partitioned along the 17th parallel into North and South Vietnam.

Second. Regulations were imposed on foreign military personnel and on increased armaments.

Third. Countrywide elections, leading to the reunification of North and South Vietnam were to be held by July 20, 1956.

Fourth. An International Control Commission—ICC—was to be established to supervise the implementation of the agreements.

The United States did not sign the Geneva agreement.

However, it did issue a statement—unilaterally—promising: "It (1) will refrain from the threat or the use of force to disturb the Geneva agreements; (2) would view any renewal of the aggression in violation of the aforesaid agreements with grave concern and as seriously threatening international peace and security, and (3) shall continue to seek to achieve unity through free elections, supervised by the U.N. to insure that they are conducted fairly."

The armistice agreement—and it was never intended to be more than an armistice until the two halves of Vietnam could be unified—was signed at Geneva on July 21, 1954.

On October 10, 1954, the Vietnamese Communist regime took over North of the 17th parallel under Ho Chi Minh.

Ho Chi Minh immediately took control over North Vietnam in typical Communist style, imposing a tight police state there with all the loss of individual and economic freedoms implicit in such a takeover.

Fifteen days after the Vietnamese Communists took over in the north, South Vietnam became an independent nation south of the 17th parallel with the U.S. handpicked Ngo Dinh Diem as premier.

This was the opportunity the United States had in South Vietnam to show that south of the 17th parallel true democracy could flourish and the people there could live in peace with their individual freedoms preserved and, assisted by U.S. economic aid, enjoying ever-increasing social and economic benefits.

Remember, South Vietnam is the breadbasket of southeast Asia. North Vietnam is the poor part of Vietnam. The United States had everything working in its favor to turn South Vietnam into a showcase so that when the elections called for in July of 1956 under the Geneva Convention took place, Hanoi would be outvoted and the people would choose to be reunited under the leadership of non-Communists.

But we threw away our opportunity.

We did not insist on individual freedoms, but stood by while Diem imposed an ever-increasing terroristic, brutal, corrupt government.

Economic and social benefits for the people were forgotten while Diem, with the help of millions upon millions of American taxpayers dollars conquered faction after faction in South Vietnam to impose on it his iron, ruthless rule. South Vietnam—like North Vietnam—became a police state.

When the time came for the unification elections called for by the Geneva Convention—which we had agreed to in our unilateral protocol—we pulled the string on our puppet Diem and he refused to go through with the reunification elections, playing right into the hands of the Vietnamese Communists both in South Vietnam and in North Vietnam.

Before being overrun by the Chinese, Vietnam had been an independent nation for some eight hundred years. Its people wanted both independence and unity.

When Diem refused unification elections, the people knew that reunification and self-determination could come about only through armed resistance.

Many of the Vietcong fighting in South Vietnam in the early stages of the guerrilla war there were former Vietminh fighters who had gotten their training in the fight against France. Many went North to Hanoi for training there, slipping back to South Vietnam to rejoin the fighting. North Vietnamese Communists joined them in increasing numbers as the years fled by and Diem's government became harsher and harsher.

War is not a pleasant pursuit wherever and whenever fought.

Both the South Vietnamese and the Vietcong, together with their North Vietnamese Communist supporters, fight with brutality, sadism and torture. Perhaps by Asiatic standards anything goes in wartime.

In addition, Diem—openly supported by the United States economically and militarily—sought to retain his domination over South Vietnam and the rule of his corrupt henchmen, practiced torture not in the

course of waging war on the battlefied, but against civilians in the torture chambers in Saigon operated by Diem's secret police.

The facts of what went on in South Vietnam before, during and after Diem's regime are now slowly coming to light.

I strongly commend to your attention two new books by two Pulitzer Prize winning authors.

The first, already on the bookstands, is entitled, "The New Face of War," and is by Associated Press Reporter Malcome W. Browne.

The second, which will be released in approximately 10 days, is by New York Times Reporter David Halberstam, and is entitled, "The Making of a Quagmire."

Both these books are must reading for anyone who would understand how the United States got into its present predicament in Vietnam. Both have been excellently reviewed by I. F. Stone in the current issue of the New York Review of Books.

You all recall how, after the fall of Diem, the basic instability of the government in South Vietnam and its lack of a firm basis in popular support became apparent in coup after coup until it became difficult at any given moment to tell who was in charge of the store.

This situation, so reminiscent of a comic opera if it were not so tragic, was best described by the noted columnist, Art Buchwald, last September which in humorous form punctures the myth that we came there in response to a request from the government of Vietnam, a request which, incidentally, we fostered. That government has long since gone and the United States is now in effect the government. This is what Buchwald wrote:

"Probably the man who has the toughest job in the world at the moment is Henry Cabot Lodge, who has been traveling around the world at the request of President Johnson, explaining our Vietnam policies to heads of state.

"Although we haven't attended any of the briefings, we can just imagine what is going on as Ambassador Lodge is presenting his case, let us say, to the King of Denmark.

" 'Now, sir, let me say at the outset that the United States has the situation in Vietnam well in hand. Under the firm leadership of Gen. Nguyen Khanh many new reforms have been instituted.'

"As Ambassador Lodge is speaking, a courier from the American Embassy rushes in and gives him a telegram. The Ambassador reads it.

" 'Well, as I was saying, General Khanh has been dividing the country and the United States feels he can no longer control the various factions. It is our belief that the best solution to the problem would be to support a general who has the confidence of the people.'

"The phone rings and the King hands it to Ambassador Lodge.

" 'Yes, I see, sir. Right, sir. I understand. Of course. Thank you.'

"He hangs up the phone and continues: 'You see, Your Majesty, our experts believe the best solution to the problem would be to have a three-man military junta govern until we can have elections. We feel General Khanh has been a handicap and we intend to support General Minh, whom General Khanh had disposed of several months ago with our help. Our strategy is to send the South Vietnamese Army out into the field to fight the Vietcong on their own terms.'

"An aid whispers something in Ambassador Lodge's ear. He nods and says, 'Because of the rioting in Saigon our strategy has been flexible and we are now urging the South Vietnamese forces to return to Saigon to prevent the breakdown of law and order. We feel this can best be done with General Minh in command of the —.'

"Another messenger from the American Embassy dashes in and hands Lodge a cable.

" 'Therefore, in line with what our people have worked out, we are happy to announce that Dr. Nguyen Xuan Oanh is now in charge of the Saigon government. Dr. Oanh is a Harvard-educated economist and gets along very well with Ambassador Taylor. General Khanh is now in Dalat resting up from a physical and mental breakdown.'

"The phone rings again and Ambassador Lodge answers it. 'Thank you very much. That's very interesting.

" 'I want you to understand, Your Majesty, we have not ruled out General Khanh's contribution to our effort in Vietnam. We have decided that in spite of everything he still holds the title of Premier and we have every intention at this time of supporting his government.'

"The Ambassador's secretary hands him another paper.

" 'As you have probably read, the main problem in Vietnam is the friction between the Catholics and the Buddhists. Realizing this, the Americans have a plan to prevent rioting between the two factions.'

"The secretary hands him another paper.

" 'But we feel at the same time that some rioting would have a good effect and therefore we've authorized the riots now going on throughout the country.

" 'Our main objective, of course, is to win the war, but we realize that this cannot be done until there is a stable government in Vietnam. We feel we have such a government with Dr. Oanh and * * *.'

"The phone rings again and Ambassador Lodge answers it wearily. 'Yes, sir. Whom did you say? Mme. Nhu? Thank you.'

"He turns back to the King. 'Well, where was I?' "

And now we are off again with Henry Cabot Lodge recalled to gather support for the U.S. position in other countries.

So the United States has fumbled and bumbled along in Vietnam for over 10 years now, disregarding our international obligations and commitments.

We violated two commitments of the Geneva Convention which we unilaterally agreed to support.

We increased the armaments and military personnel in South Vietnam and prevented the holding of unification elections called for by that Convention.

But further we failed to live up to our commitment under the United Nations Charter.

Article 33 of the Charter of the United Nations states: "The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice."

The United States has sought no solution to the conflict in Vietnam by negotiation.

The United States has sought no solution to the conflict in Vietnam by inquiry.

The United States has sought no solution to the conflict in Vietnam by mediation.

The United States has sought no solution to the conflict in Vietnam by conciliation.

The United States has sought no solution to the conflict in Vietnam by arbitration.

The United States has sought no solution to the conflict in Vietnam by judicial settlement.

The United States has sought no solution to the conflict in Vietnam by resorting to regional agencies or arrangements.

The United States has sought no solution to the conflict in Vietnam by any other peaceful means.

That is why I have maintained for over a year, and continue to maintain, that if we had waged peace as vigorously as we have waged war we would not now be in the mess we're in.

Within 2 months after the Geneva Convention was signed in 1954, a conference was convened in Manila and a collective security pact was signed known as the Southeast Asia Collective Defense Pact. It was signed by the Governments of Australia, France, New Zealand, Pakistan, the Philippines, Thailand, the United Kingdom, and the United States. The parties agreed to protect these countries from "armed attack and countersubversive activities directed from without against their territorial integrity and political stability."

Are allied soldiers from Australia in the front lines fighting and dying alongside U.S. soldiers and marines? They are not. And where are the French soldiers, the New Zealand soldiers, the Pakistani soldiers, the Philippine soldiers, the Thailand soldiers, the United Kingdom soldiers?

They are not there or if so in only token numbers. At present the United States is going it alone in Vietnam. From reactions in other capitals of the free world, it looks as if the United States will continue to go it alone, often even without the moral support of our SEATO allies, and despite our Government's earnest pleadings for their participation.

And now the United States has escalated the war by air strikes into North Vietnam, while the voices are being raised to send more and more troops into South Vietnam.

As the able publisher of the Detroit Free Press, Miami Herald, Akron Beacon Journal, and other dailies, John S. Knight, one of the great figures in the world of American journalism, stated it:

"The South Vietnamese ground forces cannot cope with their enemies from the North. U.S. troops are engaged in combat, and there is talk in Washington of committing some 250,000 more to the struggle.

"The fact is that we are not winning this war. Nor can we so long as the Republic of South Vietnam is infiltrated by the enemy. As Richard Dudman of the St. Louis Post-Dispatch has reported, 'Our side may still control the cities and the air, but their side controls the great majority of the countryside and commands the allegiance of the great majority of the people.' "

There have been ever mounting protests against the escalation policy in Vietnam.

We might, perhaps, by sending the million men to Vietnam which Hanson Baldwin, the military critic of the New York Times, has proposed and reflects some of the thinking in the Pentagon to keep that area in subjection. But what then? Do we propose to stay there indefinitely and hold Vietnam as conquered territory. Sooner or later that would lead to an all-out Asian war in which there could be no victors and only staggering losses. That is why I say we cannot win the war. Certainly not by military means.

The St. Louis Post Dispatch put the spotlight on the basic problem when it advised the President "to repudiate the misguided advisers who, in the name of a bankrupt philosophy of containment have led him, step by disastrous step, into an Asian morass."

Two thousand five hundred ministers, priests, and rabbis cried out in one voice in a newspaper advertisement: "Mr. President, In the Name of God, Stop It," saying in part:

"It is not a light thing for an American to say that he is dismayed by his country's actions. We do not say it lightly, but soberly and in deep distress. Our Government's actions in Vietnam have been and continue to be unworthy either of the high standards of our common religious faith, or of the lofty aspirations on which this country was founded.

"Now the United States has begun the process of extending the war beyond the

borders of South Vietnam, with all the attendant dangers of precipitating a far greater conflict perhaps even on a global and nuclear scale.

"Mr. President, we plead with you to reverse this course. Let us admit our mistakes and work for an immediate cease-fire. Let us call a conference of all the nations involved, including China, not alone to conclude peace but to launch at once a major and cooperative effort to heal and rebuild that wounded land.

"Mr. President, we plead with you with the utmost urgency to turn our Nation's course, before it is too late, from cruelty to compassion, from destruction to healing, from retaliation to reconciliation, from war to peace."

Heading the list of 2,500 clergymen are such outstanding individuals as Bishop John Wesley Lord, Washington area, Methodist Church; Dr. Dana McLean Greeley, president, Unitarian Universalist Association; Dr. Edwin T. Dahlberg, former president, National Council of Churches; Father Peter Riga, moderator, Catholic Council on Civil Liberties; Dr. Isidor B. Hoffman, chaplain to Jewish students, Columbia University; and Dr. Henry J. Cadbury, biblical scholar, former chairman of the American Friends Service Committee.

My able and distinguished Senate colleague, Senator FRANK CHURCH, of Idaho, in an able article in this week's Saturday Evening Post entitled: "We Should Negotiate a Settlement in Vietnam" states: "Our struggle in South Vietnam has reached a point where neither side can achieve a conclusive military decision, and the only visible prospect for a solution is to be found at the conference table. But there is so much Washington talk about stepping up the war that it threatens to engulf all rational discussion of the crisis we face—almost as if peace were something to be avoided."

I agree. But meetings such as this one this afternoon, if conducted in an orderly, thoughtful manner should help in showing that the voices of reason will not be stilled.

The Students for a Democratic Society are to be highly commended for sponsoring this gathering. I appreciate the fact that there are those elements, both fascist and communist, which seek to pervert events such as this for their own mischievous ends. But the voices of reason will not be stilled by such tactics—and the people of the United States will recognize that their own stake in preventing further escalation of this war in Vietnam is too great to be swayed by fascist or communist diversionary tactics.

We stand today on the brink of a world war of cataclysmic proportions.

In commenting on the President's speech in which he offered unconditional negotiations, the noted columnist Walter Lippmann stated: "Though no one can prove it, it is just possible that a year ago that such a Presidential statement could have changed the course of the war."

As it happens, I have been speaking out constantly on this subject for over a year.

In a major address on the Senate floor on March 10, 1964, I urged that the United States take its troops out of Vietnam. I expressed then, and have repeatedly ever since, my view that the United States had no business being in South Vietnam militarily, that we should never have gone in, that we should never have stayed in, that the security of the United States was in no wise jeopardized or imperiled by whatever happened in Vietnam, and that all of Vietnam was not worth the life of a single American boy. We have now lost over 400 of them. And if this war continues, if it escalates still more, as there appears to be every likelihood of its doing, our casualty lists will mount to even more tragic proportions.

I pointed out at that time that President Johnson had inherited the mess in South Vietnam from previous administrations; that it was not of his making, that he could and should reverse the policies of his predecessors. And if he had acted then, as Walter Lippmann has pointed out, disengagement and a negotiated peace would have been a lot easier to achieve. Moreover, our pledge to the United Nations, in article 33, the conditions of which I have cited, made such action mandatory before we increased our military participation, which in itself constituted a violation of the Geneva agreement and our unilateral commitment to it. Consequently, when we charge treaty violation against North Vietnam, let us look at the beam in our own eye.

In consequence of my deep convictions on this subject, I was unable to vote for the resolution sent to the Congress by the White House last August, approving not only of what had been done by the administration in Vietnam, but authorizing the President to use our Armed Forces as he saw fit anywhere in southeast Asia. Only two of us in the Congress voted against this resolution. My distinguished colleague, Senator WAYNE MORSE, of Oregon, who was the other Member of the Senate to vote against this resolution, has repeatedly pointed out that we are conducting war in Vietnam in violation of the Constitution of the United States. Despite congressional ratification of the resolution, there has been no declaration of war by Congress as the Constitution provides. Of course, there should not be such a declaration, but neither should we be carrying on a war as we are doing.

But now is not the time to reminisce about what might have been.

Now is not the time to point out the follies and errors of the past.

Now is the time to think ahead and find a decent way out.

Now is the time to take positive action to wage peace as actively and forcibly as we have been and now seem determined to wage war.

President Johnson is to be commended for modifying a previous stand and declaring that the United States is willing to enter into negotiations without any preconditions.

That is a good first step but it is only the beginning.

More needs to be done.

The United States should immediately announce the cessation of our bombings in North Vietnam, at the very least for a period while negotiations can go forward not at the point of a gun.

The United States should seek to negotiate an immediate cease-fire in South Vietnam. We should do this by recognizing the clear facts of life: the war in South Vietnam is basically a civil war, the control of which does not rest in the capital of North Vietnam—Hanoi—or in Communist China, which our war hawks are apparently baiting to come into the conflict.

Well, China has not yet come in, and in view of our provocative actions and utterances appears to me to have shown, to date, admirable self-restraint.

It is also possible that China as yet feels no need to come in and feels that the United States has trapped itself into a mess which ideally suits China's purposes and propaganda.

"Here," the Chinese may well be thinking, "the United States is ensnared all alone in a bloody war, costly in lives and dollars, sinking in more deeply every day, pitting white men against Asiatics in the Asian homeland, and being fought to a standstill by a small Asiatic nation.

"Why interfere? The U.S. course suits us perfectly. It is alienating its own allies and neutrals and thereby strengthening China's position in the world."

Yes, we are probably helping the very cause which it is our officially declared purpose to defeat.

The ultimate control of the civil war in South Vietnam rests with the Vietcong, and they must be brought to the conference table.

We should then take every honorable opportunity to seek an international peace conference. We should work night and day to bring this about.

Nor do I share the view which is given in justification of our military action, past, present, and future, that a cessation will lead to the loss of all southeast Asia, then of the Philippines, Australia, and New Zealand, and that we shall then be obliged to fight Communist invasion on the beaches of Hawaii and California. This view strikes me as utter nonsense. This is the John Foster Dulles domino theory raised to new heights of absurdity.

As far as southeast Asia is concerned, the future may not be certain but it is a risk that I think all concerned should be prepared to take in view of the tragic alternatives. The people of Vietnam fought Chinese domination in the past for generations. They no more want domination by China than they wanted domination by the French, by the Americans, or by any outsiders. I think we would probably get in South Vietnam a Titoist form of communism, seeking independence from control by Peiping, the very situation that the United States has invested $2 billion to create in Yugoslavia. Actually, our military activity which pits Western whites against Asiatics, our use of bombing, of napalm, and gas, is more likely to produce the undesirable results which it is our declared purpose to obviate. For if our escalation brings the Chinese into the war and they once move into Vietnam presumably to defend it, it may be difficult to get them out.

As for the insular countries in the Pacific—the Philippines, Australia, and New Zealand—the United States complete control by sea and airpower of the Pacific makes such a conjuncture, namely that they will fall unless we carry on militarily in Vietnam, manifestly ridiculous.

Perhaps, as has been suggested by my colleague, an able student of the Far East and majority leader of the Senate, Senator MIKE MANSFIELD, of Montana, we should seize the opportunity of what appears to be a forthcoming international conference on the security of Cambodia's borders to widen the topics to be discussed to include the security of Vietnam.

The United States is a great and powerful nation founded on the principles of peace and freedom. It behooves the United States not to adopt totalitarian tactics that have, in the past, characterized both Fascists and Communist regimes.

The United States should, without delay, focus the spotlight not on the arrows but on the olive branch also carried in our national emblem by the American eagle, and seek an honorable and just peace in Vietnam and an end to the needless killings there.

[From the New York World-Telegram, Apr. 23, 1965]

THE FIRST DEBATE

(By Murray Kempton)

William P. Bundy, Assistant Secretary of State, and Senator ERNEST GRUENING, of Alaska, debated our Vietnam policy last night at Joan of Arc School on the West Side.

William Bundy came through a cluster of the youth against war and fascism wearing their "Stop the War" buttons and sat down with GRUENING for a predebate television spot. Their host asked for voice levels. "Now is the time for all good men," GRUENING began, "to come to the aid of their party," the Assistant Secretary of State finished.

He looked across Jim Jensen at GRUENING and smiled: "And that means Democrats."

We were watching an event for which there was no remembered precedent in our history. If we are not at war in Vietnam, we are indisputably engaged in what Bundy prefers to call a "sober and measured military effort." And now a representative of the President of the United States was publicly debating a Senator from the President's own party who wants to stop the war before an audience overwhelmingly of the President's party and, by any measure of its response, demonstrably hostile to his policy.

ERNEST GRUENING was not to be placated.

"The President's policies," he told the cameras, "are leading directly to a major war. He says he wants no wider war, but he's widening it all the time."

They went off to the stage. Congressman WILLIAM RYAN introduced Bundy first.

Bundy arose, tall and weary, to say what an honor it was to share the floor with a man like Senator GRUENING and to meet the reform Democrats.

He recalled the lessons of the 1930's. We had fought Japan to prevent one nation from dominating Asia. "We seek no territory and we seek no bases in southeast Asia."

The United States, he said, is going about its business "in as measured and sober a way as you can carry out a military campaign." At which eight of the Youth Against War unfurled a sheet of paper painted "Stop the War in Vietnam," and began to chant the slogan over and over, until four or five volunteers came over and tore up the sheet and a policeman came and took them out. It did not seem an unpopular act of repression. Bundy began again, "The effort must be pushed in the maximum in the south. The job can be done." He repeated Johnson's promise that we will not withdraw, and sat down.

RYAN began to introduce GRUENING; he came to the citation, a Senate speech called "The United States Should Get Out of Vietnam," and suddenly the applause was twice as loud as any that had followed Bundy and people were standing up.

GRUENING was a small man behind a forest of microphones, with an old, strong and amiable voice.

"We say," the voice declared, "that we are doing what we are doing because other people could not be trusted. But we have violated three different treaties. * * * The bombing of North Vietnam is a wholly disastrous piece of folly which makes us absolutely disgraceful before the whole world * * * After 2 months of bombing, we are not better off than we were before. We should stop it and we should never have done it * * * After you've been bombing villages with napalm, it's going to be very difficult to persuade people that you're their friends."

The applause lasted more than a minute. Bundy would work on through an hour before an audience nasty in patches but in general politely disaffected. But the point is not that audience—the West Side may be thought of as exotic. It is rather ERNEST GRUENING and that conception of the national honor which he has the strength so matter of factly to express at a monent very like a time of war. We are arguing at last in public; and there are not any generations which have lived through an occasion as great as that quite simple thing.

Mr. MORSE. Mr. President, as a further foundation for my discussion of this question of personal privilege, and for the benefit of the warmonger spokesmen of the Johnson administration, including the Secretary of State and the Secretary of Defense, I ask unanimous consent that a speech that I made at a teach-in all-night seminar session at the University of Oregon last Friday night be printed at this point in the RECORD.

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

TO WHAT PURPOSE WAR IN ASIA?

(Remarks of Senator WAYNE MORSE, University of Oregon, Eugene, Oreg., April 23, 1965)

It is with both pleasure and pride that I accepted your invitation to speak on behalf of the faculty-student committee to stop the war in Vietnam. I am proud not only to be here, but I am proud that the University of Oregon is part of a great, swelling tide of opposition in this country to the war in Asia, and to the use of force which is rapidly becoming the monster that controls its maker instead of the other way around.

There is today a war in Asia that is as much the making of the United States as it is of any other country. And one cannot read the daily paper or listen to the presentations of administration officials in the confines of the Senate Foreign Relations Committee without realizing that the only plans of the American Government are plans for making it steadily bigger.

The whys and wherefores of this war are but vaguely known to the American people and even to the Congress. The contingencies being planned for are not known at all. The ways in which the bombing of the north are supposed to produce peace remain in the realm of pure mysticism.

Yet this week, Secretary of Defense McNamara, Ambassador Taylor, General Wheeler, General Westmoreland, Admiral Sharp, and other military commanders met in Hawaii to plan the further military steps by the United States within South Vietnam against North Vietnam. They take the form of the familiar prescription the Military Establishment has dished up for southeast Asia for the last 5 years—to increase the South Vietnamese forces from 575,000 to 735,000 men, to build up American ground combat forces to several divisions, and to intensify the bombing of military targets and supply routes from the north into the south.

It is to the great peril of the United States and the American people that it is in a military conference of military men in Hawaii that the foreign policy of this country is being made, a foreign policy that is leading the American people into the jaws of both China and Russia, while at the same time stripping us of friends and allies in all parts of the world.

Five years ago we were concerned about a civil war in Vietnam. So we threw American money, weapons, and prestige into that war in an effort to turn the tide in favor of the faction we preferred. Today, more than 30,000 U.S. troops are in the war, hundreds of American aircraft are attacking North Vietnam, and more of the same is being planned. From a civil war in South Vietnam, the conflict has seen North Vietnam brought directly into the battle, the setting up of Soviet antiaircraft missiles to ward off U.S. planes, and the preparation by China to send its armed forces into the fray.

All this has come about because the United States has preferred war to seeing itself proved wrong and mistaken in its support 10 years ago of Ngo Dinh Diem.

The takeover by the military of American policy in Asia is producing not one advantage for the United States. It is not strengthening freedom in Vietnam, north or south. It is not gaining friends, admirers, of allies in Asia for the United States. Yet if it is not to strengthen freedom and maintain strong allies in Asia, what in the world is our policy in Asia?

Why are we fighting? Why do we insist that South Vietnam must remain non-Communist (one cannot say "free" because it is not free)? Why do our advocates of more war in Vietnam believe the United States must fight the Vietcong itself if it is not for the notion that by so doing we are going to establish and maintain some kind of anti-Communist ring around China and North Vietnam?

The whole object of the war effort is to contain China and to keep the other nations of Asia from falling into her sphere. But the use of military means to reach that end is destroying the very end itself.

It is destroying it by driving into opposition the countries we claim we are saving.

There are in Asia six nations that in terms of area, population, industrial capacity, and resources must be regarded as major powers. They are the Soviet Union, China, India, Pakistan, Japan, and Indonesia. Of these, we are driving headlong into direct military conflict with two: China and the Soviet Union. In fact, our expansion of the war by bombing North Vietnam made that result inevitable, for it compelled both those Communist countries to compete with each other in the race to come to the aid of North Vietnam.

So when the Soviet Union announced that many volunteers desired to go to North Vietnam, and offered its antiaircraft missiles, with Russian technicians to man them, China upped the stakes by announcing its preparations to send the Chinese Army into the fray, not as volunteers, but in defense of a country on its borders that was under attack.

Nearly all the assessments offered to date by our American spokesmen have sought to allay fears that the war in Vietnam would drive China and Russia back together. Time and again, questioning Members of Congress have been told that such a result was not considered likely, because Russia is too anxious to concentrate her attention and resources on improving the living standards of her own people.

But what is at stake for Russia and China is the leadership of the Communist world. Neither can afford to allow a sister Communist state, especially a small one, to be shot up like a fish in a barrel by the United States without coming to her aid in one form or another.

It is not a question of whether China and Russia are going to become warm international bedfellows. But it is a question of whether they are going to put men and weapons into North Vietnam that will mean a major war with the United States, and that is exactly what both are preparing to do.

Where do we stand with the other great powers of Asia? How about Pakistan and India?

Because Pakistan has persistently criticized the U.S. war effort in Vietnam, and expressed a certain degree of sympathy and support for China in recent years, a planned visit to this country by its President Ayub was postponed at our request. And in order to even up things between Pakistan and her archenemy, India, we asked Prime Minister Shastri to postpone his visit, too.

Mr. Shastri promptly announced he was canceling his visit to Washington, though he would come to Canada, and to Moscow. Next June we will witness the spectacle of a Prime Minister on the receiving end of close to half a billion in American aid each year visiting Canada, from where he receives next to nothing, but passing up the United States because our relations are too strained. That, incidentally, tells you a lot about our foreign aid program, as well as our policy in Asia.

The reaction to Washington's postponement of the visits has not only been violent, but has served to strengthen both Pakistan and India in their objections to U.S. intervention in Asia. Mr. Shastri, for example, repeated his demand that the United States halt its air attacks on North Vietnam, a statement widely hailed in India as one that stands up to President Johnson and what Indian papers are calling his bullying diplo-

macy. For the first time in his career, Mr. Shastri has all political factions in India firmly united behind him in his response to the clumsy attempt to whip India into line along with Pakistan on the question of the war in Vietnam.

In Pakistan, we read that the toll of U.S. dead in Vietnam does not alter the image of the struggle there as one with racial overtones in which the United States is seen as insensitive to the military devastation of an Asian country. Memories of Hiroshima are being evoked, and the government-controlled Pakistani newspapers are pointedly asking whether the United States would be risking its present bombing strategy in any European country. A leading newspaper, Dawn, observes that it is "painful to see how little Americans know of the heart of Asia, where they want to act as perpetual policemen to 'protect' Asians against Asians. Should large-scale war flare up in Vietnam," it continues, "Asia will emerge in ruins and the very prospect which the West today dreads so much—the rise of communism—will then become a certainty."

A fifth leading nation of the area is Indonesia. In a recent television interview, President Sukarno responded to a question about Communist aggression in Vietnam with an insulting question of his own: "What Communist aggression?" On Wednesday we learn that Indonesia intends to be counted in on any Asian side against the United States, because that is the meaning of its announcement that thousands of volunteers are appearing at government offices to go to the defense of North Vietnam.

The only major Asian power that gives so much as lip service to the American war effort is Japan. Yet her people are so opposed to that war that the Japanese Prime Minister Sato sent his own personal representative to tour the area and to make his own assessment of the effectiveness and future of our policy. His report to Sato was all against us.

He found that probably 30 percent of the Vietcong were Communists, that the Vietcong cannot be considered as controlled by either Hanoi or Peiping, and that the United States was greatly mistaken in thinking that military force would solve matters. It may be some time before Japan officially changes its position but its repeated statements to China that Japan and China have no great conflicts between them is a hint of what is to come.

The war hawks and their newspaper mouthpieces will tell you that we must stop concerning ourselves with what other countries think, and do what we think is right in Asia. But everything they want us to do there is supposed to be for the benefit not of the United States, but of India, Pakistan, Japan, Indonesia, and the smaller countries of the area to save them from communism. Why it it, then, that they do not appreciate that we know better what is right for them than they do?

I suggest that the editorial I have quoted from Dawn tells our military leadership in the Pentagon something that they apparently will never figure out for themselves; namely, that the great advances made by communism have been made in the ruins of war. The destruction and desolation of military force can kill a lot of Communists. But it also makes Communists where none existed before. And it produces the disruption and breakdown of society which is the great opportunity that communism seizes.

There is nothing wrong with President Johnson's offer of April 7 to help develop the Mekong River Valley. But what is wrong with the speech he made on that occasion is that he revealed no plans for ending the war which is making development impossible anywhere in southeast Asia. And within 2 weeks, his military high command was meeting in Hawaii to plan the next escalation of the action.

I ask you, as I have asked administration officials as they have come before the Senate Foreign Relations Committee: Can you tell me how carrying the war to the north is going to bring an end to the war?

And the answer is the one we hear week after week from our Secretary of State, by way of his chant about making China and North Vietnam leave their neighbors alone. To go 8,000 miles away—alone—to make someone else leave their neighbors alone is perhaps the most hypocritical assumption of the role of international policeman that any nation ever claimed for itself.

It is not going to defeat the Vietcong. It is going to have no other result than to bring China and Russia, as well as the United States, into the war.

Why, indeed, should North Vietnam stop whatever it is that she is doing that Secretary Rusk cannot describe but what he assures us North Vietnam knows—when it has been our own position that we would not quit the war while we were losing? Do we think North Vietnam will cry "surrender" and ask for negotiations when we would not under the same circumstances? Do we think that North Vietnam will do as we say but not as we did, which was to escalate the war in order to put ourselves in a stronger bargaining position?

The returns are coming in on all these assumptions and they spell not peace on American terms but bigger and more terrible war.

I do not suggest that at any point has North Vietnam been innocent of illegal action under the Geneva agreement. Nor do I doubt that in recent months and perhaps in recent years, the Vietcong movement has received considerable advice and support from North Vietnam. But violations by one side do not excuse violations by the other. Terrorist methods employed by one side have been matched by terrorism employed by the other. The United States had the clear duty and obligation under international law to petition the United Nations for redress of North Vietnam's violation of the Geneva agreement. Why didn't we? History for generations to come will continue to ask the United States that question. It will also continue to find us of having been guilty of substituting the jungle law of military might for our often professed ideal of the rule of law through international agreement in cases of threats to the peace of the world. In southeast Asia we have walked out on our ideals and joined the Communists in becoming a threat to the peace of the world.

Each escalation by the United States has resulted in a responding escalation within South Vietnam, and we are now at the point where the next escalation could well result in a direct response from Hanoi. Each violation and retaliation has served to worsen and not to improve the American position.

What I am saying is that our reliance upon wealth and military power to bring about a prowestern government in South Vietnam has been a failure. It does not matter that our designs upon that country are not the same as were the French designs. Our methods are much the same, and they are failing every bit as surely as did the French methods.

If we do not seek traditional colonial objectives, we do seek in Vietnam the nationalist objective of American military security as we see it. We have already demonstrated that far from seeking the free political choice for the people of Vietnam we do not intend to let them choose anything contrary to American interests. We have let Vietnam and the entire world know that the United States considers South Vietnam as something to be lost or held by the United States, and we will kill as many of its people and destroy as much of its property as is necessary to hold it.

Our success with that objective is going to be all downhill, just as it has been downhill for 10 years. We could not cope with rebellion within the south and now we cannot cope with assistance to it from the north. We have thrown our 7th Fleet, hundreds of aircraft, and thousands of U.S. troops into the battle without success and we have not yet encountered the Army of North Vietnam, much less that of China.

Our raids on North Vietnam have been illegal under the United Nations Charter. And they have failed in their purpose of making the Vietcong give up. One thing they have done has been to alienate the major countries of Asia and to cause serious alarm among the countries of Western Europe.

Our real problem in Vietnam is that we cannot control the situation by the means we know best—money and military force. We cannot control it because we want the area to remain pro-Western and to serve as a bulwark against Chinese expansion. Those are not realistic nor realizable objectives in the middle of the 20th century. We never will have peace in Asia on those terms.

But we can have a peace in Asia when control of Indochina is removed from the ideological conflict between this country and China. To do that will require international supervision and self-determination for Vietnam. To return to the Geneva accord offers some hope for ending the war. But it would require a return to the accord by the United States and South Vietnam, too. In the end I expect that we will settle for just that, but in the meantime we and the world may pass through a trial of bloodshed before we find out that American fortunes in Asia are no more achievable than were French, British, and Dutch fortunes before us.

Neither the United States nor North Vietnam now has much chance to settle this terrible war by bilateral negotiations. It has gone too far. It is going much further if a third force consisting of the nations of the world who are not now involved in the fighting is not brought to bear on this Asian crisis. That is why many of us who are urging a negotiated settlement with honor and security for all participants have recommended a formal presentation of the threat to world peace created by the war to the procedures of the United Nations.

Unless the nonparticipating nations come forward and live up to their clear obligations under international law, they are not likely to be nonparticipants much longer. Mankind can very well be on the brink of a third world war. Procedures of international law created by existing treaties do provide for the convening of an international peace conference on the crisis. I ask Great Britain, Canada, Japan, France, Russia, Italy, Belgium, Australia, New Zealand—yes, I ask all nations who profess that they want world peace—when, oh when, are you going to keep your obligations solemnly assumed by your signatures to existing treaties which provide for peaceful procedures for settling threats to peace? Is it your answer that they may not work? Then what is your alternative? War? The time has come for 85, 90, 95 and more nations to say to the United States and South Vietnam on the one hand and the Communist nations on the other who are jointly threatening the peace of the world: "We beg you to cease your fire and come to an International Conference Table."

Oh, I know the specter of Munich is immediately raised, and we are reminded that we could not do business with Hitler and it is better to fight now than later. But in all these comparisons with the years that led up to World War II, I never yet have heard anyone argue that the United States should, in 1938, have acted alone to send troops to Czechoslovakia to fight Germany. What the "Munich" criers have in mind for Munich is not that the negotiation should

never have been held, but that a concert of nations should have acted together to serve notice and to take steps to stop further aggression. And that is what I am urging that we do in Vietnam.

The United States can accomplish nothing on the mainland of Asia so long as we are acting alone and in isolation from the large free nations of the area. To do so can mean nothing but perpetual war. Our present policy is not saving Asia from war or from communism, either, yet it compels our friends to choose between one or the other. That is not an acceptable alternative to the people of Asia or of the United States, and I am satisfied that we have much more to offer by way of leadership if we apply President Johnson's admonition to "Come, and reason together."

Mr. MORSE. Mr. President, as a further foundation for my discussion of the question of personal privilege I intend to raise, I ask unanimous consent that a selection of other lectures I have given on university campuses in opposition to the U.S. outlawry in South Vietnam be printed at this point in the RECORD.

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

REMARKS OF SENATOR WAYNE MORSE AT MOCK UNITED NATIONS ASSEMBLY, OHIO UNIVERSITY, ATHENS, OHIO, APRIL 10, 1965

The United Nations Charter was drafted in the closing days of World War II with one essential purpose in mind: to save succeeding generations from the scourge of war.

Twenty years later the nation most vitally interested and most energetic in creating and maintaining that organization is carrying on a war just as though the United Nations and its peacekeeping machinery did not exist. Like so many great powers before us, the United States has found that it is more convenient, more expedient, to ignore the procedures of international law and world organization when it considers its national interests threatened.

In his speech of Wednesday, President Johnson invoked the blessings of the United Nations and its Secretary General only to pick up the pieces of a war-wracked country, and then only after the combatants have decided to let the war end, if they should ever so decide.

What a mockery of the United Nations. What a shameful use of the U.N. and its Secretary General. What an admission that to the United States the U.N. Charter is nought but a scrap of paper to be invoked when it suits our purpose and to be ignored when it does not.

Our flouting of the U.N. Charter is going to lead the United States into a war in Asia that we cannot finish. Probably the Vietcong, the Chinese, and the Russians will not be able to finish it, either. But the fighting will cost many thousands more lives, perhaps millions, and the cost is incalculable. In fact, we know the administration cannot calculate the cost because it is seeking a provision in the current foreign aid bill that would give it unlimited, or what we call "open ended" authorization of funds for the war in Vietnam. So far, the Senate Foreign Relations Committee has resisted this request in the hope of keeping at least a formal review power over the course of the war.

A second disaster, less costly in the immediate prospect but with frightening implications, will be the loss of our claim to leadership on behalf of morality and respect for law in world affairs. We have already lost the ability to call to account such countries as Indonesia for its aggressions against Malaysia, Greece, and Turkey for their threatening gestures over Cyprus, and Nasser for his participation in the civil war in the Yemen. As recently as April 6 of 1964, the U.S. Ambassador at the U.N. was able to present the American position on Yemen in these words: "My Government has repeatedly expressed its emphatic disapproval of provocative acts and retaliatory raids wherever they occur and by whomever committed. We believe that we all join in expressing our disapproval of the use of force by either side as a means of solving disputes, a principle which has been enshrined in the U.N. Charter."

When Nasser found it expedient to bomb a source of aid flowing to the royalist government in Yemen, and began air raids on Saudi Arabia, the United States joined in sending a U.N. force to the scene which operated long enough to end the air raids.

But in Vietnam, the U.N. Charter has been as thoroughly violated by the United States as by any country anywhere. And for the American people, the greatest tragedy of all is that the departure from the charter leads down a dark and violent road of which no man can see the end.

GOVERNING PROVISIONS OF U.N. CHARTER

The specific provisions of the charter that should guide our policy in Asia, as elsewhere, are these:

"Article 2, section 4: All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations."

Other charter provisions are specific as to the duty of nations when they find themselves involved in a dispute. Article 33 states:

"SECTION 1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice."

Note that the sentence says "shall."

For 4 years, the United States has been participating in the fighting in South Vietnam in disregard of that provision, and for 2 months we bombed North Vietnam in violation of that provision.

On Wednesday of this week, the President for the first time used the words "unconditional discussions." He did not, however, suggest them or call for them, or invite anyone to such discussions. He said only we "remain ready" for them. This presumes that someone else will organize them, set them up, and invite us to take part. Who, where, when, and how are not mentioned.

Meantime, it is clear that the war will continue unabated.

That puts us in violation of article 37 which states:

"Should the parties to a dispute of the nature referred to in article 33 fail to settle it by the means indicated in that article, they shall refer it to the Security Council."

These provisions do not relate only to members of the organization. They relate to "parties to a dispute." Other sections of the charter make provision for jurisdiction over parties who are not U.N. members. Our contention that because North and South Vietnam and China are not U.N. members makes these obligations inoperative is utterly untrue.

It is commonly said both in and out of government that the U.N. is a waste of time and that the Communists understand nothing but force. However, the line continues, at some future date we may find it in our interest to go to the U.N.

This supposedly sophisticated argument ignores several points.

First, it may not be left to us to decide whether and when the Vietnam war should go to that body. Article 34 provides: "The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security."

The Security Council is self-starting in such matters.

Second, article 35 provides: "Any member of the United Nations may bring any dispute, or any situation of the nature referred to in article 34 to the attention of the Security Council or of the General Assembly."

This means that if we wait for another country to invoke article 35, we can be sure it will not be in terms and under conditions most favorable to us.

Our present argument against going to the U.N. is purely one of international power politics, and an unrealistic one at that. It contends that because neither North Vietnam nor Red China is in the U.N., the Soviet Union will become the spokesman for the rebel Vietcong, thus driving Russia into closer collaboration with China, North Vietnam, and the Vietcong.

But it is our bombing that is doing that. It is the air raids on the north that are forcing the Soviet Union to involve itself directly in the war by sending air defense missiles to Hanoi, to be manned initially at least, by the Russians. The longer the war continues and the more it is escalated to destroy North Vietnam, the more Russia and China are going to try to outdo each other in coming to the aid of North Vietnam.

The longer this struggle goes on, the more unified the Communist camp is going to be, and the more isolated the United States is going to be. That is the real fruit of our war policy and the most dangerous for the American people.

UNITED STATES ISOLATED IN ASIA

The Southeast Asia Treaty Organization was established in 1955 to permit concerted action to maintain peace in that part of the world. It got off to a bad start when the major Asian countries declined to take part. India, Japan, and Indonesia, in particular, are notable for their absence from SEATO. And in recent years, Pakistan, the only significant local member, has increasingly neutralized itself in all cold war matters. Of the eight members only two small Asian countries, Thailand and the Philippines, can be viewed as active participants. Australia and New Zealand are Asian, but they are white, and therein lies our essential difficulty.

Only Australia, of all SEATO members, has contributed to the Vietnam war with active participants, and these number only about 160 men. Small Filipino and South Korean units are noncombatant. While Thailand has urged us on in Vietnam, there are no Thais doing any fighting there, nor are there any British, New Zealand, French, or Pakistani forces.

That is how our SEATO allies feel about fighting in Vietnam.

Although India is the one country of Asia most threatened by China, even India has no desire to see a war break out, because in conditions of war between the United States and China, nuclear weapons will be used. Moreover, India knows that in war, nations lose control of events and are controlled by the exigencies of the war more than the other way around.

Prime Minister Shastri of India continues to urge us to seek a negotiated settlement.

Even more indicative of our failure to convince even our friends of the rightness of our policy has been the action of Japan in sending a senior diplomat to southeast Asia to make his own assessment of the war and of American policy. Prime Minister Sato sent his personal emissary after Japanese press and public opinion failed completely to endorse the American military action.

And his report has been that less than 30 percent of the Vietcong are Communist, that the Vietcong has not been shown to be controlled by Communist China or the Soviet Union or by North Vietnam, and that the United States was greatly mistaken in thinking that military force would solve the matter.

Perhaps some improvement in the reception by these countries of our actions in Vietnam will result from the President's speech. But when no change results, when the raids on the north are increased to include civilian targets, as they will be, then the United States is going to find itself openly opposed throughout Asia.

The President's speech is being described as the carrot that goes with the stick, the offer, and the promise to go with the use of force. Presumably, the air raids on the north were designed to force North Vietnam to a conference table more or less on our terms.

Now, so the argument goes, we can say that we have offered to negotiate a peace and if the offer is not accepted, it is the fault of someone else, not the United States.

Yet 2 months ago, when the air raids on the north began, American voices were saying that we had to step up our military activity so that we could bargain at the conference table from a position of strength. How often that phrase has been thrown out in Washington in the last few months. But I have never heard any explanation of why it is a policy that only our side could or should adopt.

Is anyone going to say now that North Vietnam should not undertake any negotiations from a position of weakness, but should increase her own military activity so that when any negotiations do begin, she can bargain from a position of strength?

I heard nothing in the President's speech that suggests to me he has any negotiations in mind at all. There was a lot of lipservice paid to the theory of peace, grandiose utopian verbiage was plentiful, and the dollar sign was liberally displayed, apparently in hopes of quieting the criticism from abroad. But there was no language that suggested that the United States is going to return to the rule of law in southeast Asia or that we are actively seeking a peaceful solution to its problems. There was no word that the United States plans henceforth to observe either the United Nations Charter or the Geneva agreement of 1954.

All I heard in the President's speech was that the United States is going to continue shooting fish in the barrel until they are all dead.

In short, what the President did not say was far more meaningful and significant than what he did say. He did not mention the peace-keeping functions and duties of the United Nations, nor the obligations of the United States under the United Nations Charter. He did not mention that South Vietnam refused to hold the elections of 1956 which were supposed to reunite Vietnam under one government. The most meaningful negotiations that could be held with the North are those that were supposed to have taken place in 1956 to decide the details of a countrywide election.

When are we going to conduct those negotiations? The President is quite wrong in thinking that he can call upon others to observe the 1954 agreement while at the same time he insists that South Vietnam must be guaranteed as an independent nation. The 1954 agreement did not create a sovereign South Vietnam. It created one Vietnam, divided into two zones, to be reunited within 2 years by elections supervised by the International Control Commission. If the President wants an independent South Vietnam, he must negotiate a new agreement. If he wants the old agreement observed, then he must go ahead with the reuniting of Vietnam under one government. But we cannot have it both ways unless we are expecting only to use this line as an excuse for war, and that is how we have been using it for 10 years.

Most of all do I regret the reference the President made to the United Nations and its Secretary General. Clearly, the President sought to invoke the sanctity of the United Nations while at the same time repudiating its most vital function—that of keeping the peace. I say to the President that U Thant could use the prestige of his office, and his deep knowledge of Asia, to initiate peace talks. The good offices of the Secretary General are infinitely more meaningful to peace than they are to the presiding over of a billion-dollar development program. Surely the President well knows that peace must come to that area before any kind of development plan can succeed.

When are we going to make use of the United Nations and of the Secretary General for the one purpose they were created to serve—to save mankind from the scourge of war?

Unfortunately, the American policy in Asia is not saving mankind from war nor from communism, either. And I fear that to continue the war, as we have been doing, is going to help communism make even more gains in Asia, because our policy tells the people of Asia that we would rather see them dead than see them live under Communist control. We are fast killing them. The Pentagon keeps records of how many civilians in the South are killed by Vietcong terrorists, but it says it has no record of how many civilians in the South are being killed by napalm and the other weapons of war being used by American and government forces. But the people know. And if our raids on the North bring down upon South Vietnam the organized force of the North Vietnamese army, all of southeast Asia will be swallowed up in a war for which this country must assume major responsibility, and which we will have to fight alone.

U.S. Foreign Policy in Southeast Asia

(Remarks of Senator Wayne Morse, Johns Hopkins University, Baltimore, Md., Mar. 15, 1965)

Last summer and fall, many voices were raised by American politicians and by the political generals of South Vietnam to "go north." The war in South Vietnam was being lost. Gen. Nguyen Khanh, one of the passing parade of Vietnamese leaders, was anxious that the losses in the south be covered by expansion of the war into North Vietnam by the United States. A presidential campaign was being conducted in the United States almost entirely on the issue of who was placing his faith in military power to solve all our problems and who was not.

On September 28, 1964, at Manchester, N.H., President Lyndon Johnson said of all this:

"So just for the moment I have not thought that we were ready for American boys to do the fighting for Asian boys. What I have been trying to do, with the situation that I found, was to get the boys in Vietnam to do their own fighting with our advice and with our equipment. That is the course we are following. So we are not going north and drop bombs at this stage of the game, and we are not going south and run out and leave it for the Communists to take over. We have lost 190 American lives, and to each one of those 190 families this is a major war. We lost that many in Texas on the Fourth of July in wrecks. But I often wake up in the night and think about how many I could lose if I made a misstep. When we retaliated in the Tonkin Gulf, we dropped bombs on their nests where they had their PT boats housed, and we dropped them within 35 miles of the Chinese border. I don't know what you would think if they started dropping them 35 miles from your border, but I think that that is something you have to take into consideration.

"So we are not going north and we are not going south; we are going to continue to try to get them to save their own freedom with their own men, with our leadership and our officer direction, and such equipment as we can furnish them. We think that losing 190 lives in the period that we have been out there is bad, but it is not like 190,000 that we might lose the first month if we escalated that war. So we are trying somehow to evolve a way, as we have in some other places, where the North Vietnamese and the Chinese Communists finally, after getting worn down, conclude that they will leave their neighbors alone, and if they do we will come home tomorrow."

Time after time, the spokesmen for the administration told the public and told congressional committees in private that what was going on in South Vietnam was essentially a civil war. The outside aid was put at somewhere between 10 and 20 percent of the rebels in numbers. Weapons were described as coming primarily from capture of government sources, with perhaps 10 percent brought in from outside South Vietnam.

For these reasons, it was maintained that there was little to be gained by bombing North Vietnam or even the trails leading through Laos into the South. How often did you hear it said that the battle had to be fought and won in South Vietnam?

Yet last month all these policy statements of why expansion of the war would serve no purpose were thrown out by the same people who had made them. Something called a white paper was published by the State Department to coincide with the change in policy. But this white paper did not afford any explanation or any reason or any justification of a change in policy.

What it did in fact was to confirm and verify what we have been told so many times: that somewhere between 10 and 20 percent of the number and about 10 percent of the weapons of the Vietcong rebels come from outside South Vietnam.

That is what the white paper confirms. That is all. It does not even claim that the war is any less a civil war than it ever was. It describes the weapons and it tells where they were found. It cites a grand total of 179 guns of all kinds, including pistols, that were captured from the Vietcong in 1962 and 1963 and which were manufactured in Communist countries. But we already know that some 10,000 weapons were lost by the government to the Vietcong in approximately the same period, and some 7,000 to 8,000 weapons were captured from them.

The white paper estimates that a maximum of 37,100 infiltrators entered South Vietnam from the north from 1959 through 1964. Yet with the known casualties and the estimated current guerrilla force, these men from the north still constitute at most 20 percent of the Vietcong. The confirmed infiltrators constitute only 12 percent.

Moreover, of the men captured and used as exhibits in the white paper, many were natives of the south. Seven were captured in 1962, eleven in 1963, and five in 1964.

In other words, everything in the white paper with the sole exception of the boat sunk on February 15 of this year was known to the administration last summer and last fall when the President said "we are not going north," and when both the Pentagon and the State Department insisted that no useful purpose would be served in the south by attacking the north.

And today it is still just as true as it was then that the Vietcong rebellion is essentially a South Vietnamese affair in personnel and weapons. The stories of the captured men were the same and were known in 1962 and 1963. The captured weapons

were the same and were known in 1962 and 1963.

To put them in a white paper in March of 1965 and call them a justification for expanding the war now when they weren't before, is an insult to the intelligence of the entire world, not to mention the Americans. I suppose this is why five very able and prominent men in the intellectual world hired most of a page in the Washington Post March 12 to reprint a devastation of the white paper called "White Paper on Vietnam. What Does It Prove?" The men are Robert S. Browne, formerly a high ranking U.S. aid official in Cambodia and South Vietnam; Benjamin Cohen, once high in the councils of the Roosevelt administration and later the State Department; Lewis Mumford from the world of arts and letters; Hans Morgenthau, perhaps our most prominent political scientist in the field of international relations from the University of Chicago; and Dr. Bryant Wedge, Director of the Institute for the Study of National Behavior at Princeton.

The article these gentlemen sponsored first appeared in the New Republic and concludes: "The white paper fails to sustain its two major contentions, that there is large, militarily crucial infiltration of both men and material from Hanoi."

REASON FOR POLICY CHANGE

The white paper does prove one thing. It proves that the war we had been sustaining in South Vietnam, the effort to retain that area as a Western bastion, was a failure. The Taylor-McNamara program for Vietnam, announced on so many visits to that country by these men, was rapidly going down the drain. Despite aid running in the magnitude of $700 million a year, despite the presence of American military strength that began at 680 and rose steadily to 23,000, despite absolute control of the air including helicopters to rush troops to any trouble-spot, and despite military equipment of many kinds that were completely in violation of the Geneva agreement, our men in Saigon were losing.

More and more territory was being lost to the rebels, and the political turmoil in the capital reached the point where there was no government at all worthy of the name.

It became clear that something else had to be done. And to the men who have always believed in a military solution to everything, the answer was to increase our military activity.

So we began bombing targets in North Vietnam. Clearly, this was not done with the idea that it would have a direct effect upon the capacity of the rebels to fight in the south, because that contention had been thoroughly disposed of last year. The purpose of the bombing was ostensibly to inflict damage upon North Vietnam that could be called off in return for the Vietcong calling off their war in the south.

I do not doubt for a moment that President Johnson is sincere in his belief that this is a real possibility. But I am satisfied that there are many in the high office of the Pentagon and the State Department who know perfectly well that the only result of such a policy will be the steady expansion of the war throughout all the old colony of Indochina, the steady increase in the use of American air and naval power, and the steady funneling of more and more American troops into southeast Asia.

The white paper is the signal for a new war, because we could not win the one that was already going on.

The committing of 3,500 marines to ground combat is only the first installment of U.S. ground forces that will be needed. I am satisfied that what is behind our expansion of the war is a design to match our half million ground forces in Europe with half a million in Asia, to act as the trip-wire that would bring the full American nuclear power to bear upon China should she make any move to support local governments.

That is the direction we are now taking in Asia. It is the direction of singlehanded U.S. containment not only of China but of all political movements that seek to remove Western influences from southeast Asia. No longer do we propose to organize groupings of friendly countries to act in concert, such as the Southeast Asia Treaty Organization. No longer do we plan to seek the concerted action of our Western allies.

We are now committed to "going it alone" and putting American soldiers into Asia on whatever scale needed to carry out this objective.

The pretense that we are in South Vietnam to help the people win a fight for freedom has been entirely dropped. From now on, the war will be conducted by Americans, under American command, for American objectives. It is obvious that no internal political force within South Vietnam will be allowed to reach a position of power except with American approval. And it will be the strategic interests of the United States, as we see them, that will determine the course of the war.

I am satisfied that this in large part explains the President's anxiety about public debate, and his implied rebukes to Members of Congress who continue raising questions and objections to what we are doing. I am satisfied that the President understands the inherent fallacies in his presumption that we can bring the Vietcong to heel by bombing North Vietnam. He knows the American people will understand these fallacies, too, if there is any discussion in depth of Asian affairs. He surely recognizes that he is now dependent upon the good faith of both North Vietnam and China not to respond to our escalation of the war with an escalation of their own.

His announced policy requires North Vietnam to stop aiding the rebels, it requires the Vietcong to collapse as a result, and it requires stability to emerge in South Vietnam, all as a result of these bombings. The likelihood of any of these things happening is so remote that I do not wonder at the massive campaign with the press and Members of Congress to support what is being done without raising questions or objections.

The failure of this policy, too, will soon emerge. The New York Times already reports a frank recognition, in private, by administration officials that the bombings have not had any effect upon the war in the south and they are now considering what new force to bring to bear upon North Vietnam.

Presumably, this new force will take the form of bombing industrial targets further to the north, instead of military installations in the southern part of North Vietnam.

When that doesn't help, either, I expect that the next step will be the landing of thousands more ground combat troops to engage the rebels directly.

REACTION OF OTHER NATIONS KEY TO FUTURE

How much further this entanglement will go will depend, in my opinion, entirely upon the reaction of other nations. The easy acceptance by Prime Minister Wilson of the white paper excuse strengthens belief in the report he and the President have agreed to go along with whatever the other does in southeast Asia. British shipping in North Vietnam apparently will not be mentioned by the United States so long as Mr. Wilson does not object to our bombing of North Vietnam.

Ten years ago, it was the refusal of Britain to join us that kept us out of Indochina because President Eisenhower did not propose to get into a unilateral war there. But there were many other trouble spots 10 years ago, especially in Europe, that also restrained us from excessive unilateral entanglement in Asia. Today, tensions with the Soviet Union are sufficiently relaxed to encourage many of our policymakers to think we are free to fight in Asia without worrying too much about what Russia will do.

They are counting on Russia leaving us to tangle with North Vietnam and China while she remains quiescent not only in Asia but everywhere. They are also counting on Japan, India, the Philippines and the other nations of the area to remain silent spectators to a war in their midst. And they are counting on both North Vietnam and China to submit to American bombings without commiting their own major military force, which is manpower.

Any change from what is expected of them on the part of these countries could alter our own policy. We have already heard Pope Paul, the United Nations Secretary General, and now the World Council of Churches call upon us to negotiate our problems in Asia rather than make war over them. It is a sad fact to contemplate that the American people and the American Congress have abandoned their international responsibilities to a small handful of men in the executive branch of our Government. For the moment, at least, they have chosen to let the President deicde, and to make his choice not on the basis of full public debate and discussion but on advice from the same group of men whose advice on Vietnam for the last 4 years has been totally wrong.

I hope that this silence on the part of the American public and its Congress will not continue. If it does, that silence will be broken not by wisdom but by casualty lists. I understand that President Johnson is telling visitors that Bob Taft based his opposition to the Korean war on the failure of President Truman to keep leading Republicans advised of his actions. President Johnson presumably does not intend to make that mistake.

But I hope he is not deluding himself with the idea that the revulsion of the American people to the Korean war stemmed from Truman's failure to advise Bob Taft and other leading Members of Congress.

It is not a cozy visit to the White House that will head off disaster for a Democratic President. Only a sound policy can do that, and a sound policy must be one that protects and conserves American lives by limiting our vital interests to those that can reasonably be defended.

I do not suggest that South Vietnam is not of interest to us. But it is not the kind of vital interest that deserves to be protected by American blood. It is the kind of interest that should be the subject of discussion with other affected nations and there are many nations that are even more vitally affected there than we are.

That is why I continue to hope that the President will respond to U Thant's appeal for negotiations under United Nations auspices. And above all, I hope that the American people will bestir themselves to examine the implications of our present course in Asia, and make their voices heard in support of U Thant, Pope Paul, and the Council of Churches. Otherwise, we stand to awaken only when we are being drenched in blood and for an objective that is not shared by any of our allies or even by those nations in Asia whose really vital interests are at stake.

Mr. MORSE. Mr. President, I warn the American people that a propaganda drive has been started by spokesmen for the Johnson administration to interfere with one of their most precious, fundamental liberties and freedoms, namely, the right of freemen to criticize their government. That does not mean that those of us who criticize our Government in regard to this outlawry in Asia, as we see it, question the sincerity of the

spokesmen for this administration. We question only their judgment. We also deplore the fact that they are not telling the American people the facts about the record and the policies of the United States in southeast Asia.

So I wish to refer briefly to a speech of propaganda delivered by the Secretary of State of the United States last Saturday night. I ask unanimous consent that that speech be printed in the RECORD at this point.

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

ADDRESS BY THE HONORABLE DEAN RUSK, SECRETARY OF STATE, BEFORE THE AMERICAN SOCIETY OF INTERNATIONAL LAW, MAYFLOWER HOTEL, WASHINGTON, D.C., FRIDAY, APRIL 23, 1965

I

When this distinguished society was founded 59 years ago, the then Secretary of State, Elihu Root, became its first president. Within the passage of time, the Secretary of State has been elevated to a less demanding role, that of honorary president. Secretary Root himself not only establishd the precedent of becoming president while Secretary of State; he also superseded it by continuing to serve as your president for 18 years. The proceedings of the first meeting indicate that Secretary Root not only presided and delivered an address, but that he also selected the menu for the dinner.

The year 1907, when the first of the society's annual meetings was held, today appears to have been one of those moments in American history when we were concentrating upon building our American society, essentially untroubled by what took place beyond our borders. But the founders of this society realized that the United States could not remain aloof from the world. It is one of the achievements of this society that, from its inception, it has spread the realization that the United States cannot drop out of the community of nations—that international affairs are part of our national affairs.

Questions of war and peace occupied the society at its first meeting. Among the subjects discussed were the possibility of the immunity of private property from belligerent seizure upon the high seas and whether trade in contraband of war was unneutral. Limitations upon recourse to force then proposed were embryonic, as is illustrated by the fact one topic for discussion related to restrictions upon the use of armed force in the collection of contract obligations. The distance between those ideas and the restrictions upon recourse to armed force contained in the Charter of the United Nations is vast. It is to these charter restrictions—and their place in the practice and malpractice of states—that I shall address much of my remarks this evening.

II

Current U.S. policy arouses the criticism that it is at once too legal and too tough. Time was when the criticism of American concern with the legal element in international relations was that it led to softness—to a "legalistic-moralistic" approach to foreign affairs which conformed more to the ideal than to the real. Today, criticism of American attachment to the role of law is that it leads not to softness, but to severity. We are criticized not for sacrificing our national interests to international interests, but for endeavoring to impose the international interest upon other nations. We are criticized for acting as if the Charter of the United Nations means what it says. We are criticized for treating the statement of the law by the International Court of Justice as authoritative. We are criticized for taking collective security seriously.

This criticism is, I think, a sign of strength—of our strength, and of the strength of international law. It is a tribute to a blending of political purpose with legal ethic.

American foreign policy is at once principled and pragmatic. Its central objective is our national safety and well-being—to "secure the blessings of liberty to ourselves and our posterity." But we know we can no longer find security and well-being in defenses and policies which are confined to North America, or the Western Hemisphere, or the North Atlantic Community. This has become a very small planet. We have to be concerned with all of it—with all of its land, waters, atmosphere, and with surrounding space. We have a deep national interest in peace, the prevention of aggression, the faithful performance of agreements, the growth of international law. Our foreign policy is rooted in the profoundly practical realization that the purposes and principles of the United Nations Charter must animate the behavior of states, if mankind is to prosper or is even to survive. Or at least they must animate enough states with enough will and enough resources to see to it that ohers do not violate those rules with impunity.

The preamble and articles 1 and 2 of the charter set forth abiding purposes of American policy. This is not surprising, since we took the lead in drafting the charter—at a time when the biggest war in history was still raging and we and others were thinking deeply about its frightful costs and the ghastly mistakes and miscalculations which led to it.

The kind of world we seek is the kind set forth in the opening sections of the charter: a world community of independent states, each with the institutions of its own choice, but cooperating with one another to promote their mutual welfare, a world in which the use of force is effectively inhibited, a world of expanding human rights and well-being, a world of expanding international law, a world in which an agreement is a commitment and not just a tactic.

We believe that this is the sort of world a great majority of the governments of the world desire. We believe it is the sort of world man must achieve if he is not to perish. As I said on another occasion: "If once the rule of international law could be discussed with a certain condescension as a utopian ideal, today it becomes an elementary practical necessity. Pacta sunt servanda now becomes the basis for survival."

Unhappily a minority of governments is committed to different ideas of the conduct and organization of human affairs. They are dedicated to the promotion of the Communist world revolution. And their doctrine justifies any technique, any ruse, any deceit, which contributes to that end. They may differ as to tactics from time to time. And the two principal Communist powers are competitors for the leadership of the world Communist movement. But both are committed to the eventual communization of the entire world.

The overriding issue of our time is which concepts are to prevail: those set forth in the United Nations Charter or those proclaimed in the name of a world revolution.

III

The paramount commitment of the charter is article 2, paragraph 4, which reads: "All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations."

This comprehensive limitation went beyond the Covenant of the League of Nations. This more sweeping commitment sought to apply a bitter lesson of the interwar period—that the threat of use or force, whether or not called war, feeds on success. The indelible lesson of those years is that the time to stop aggression is at its very beginning.

The exceptions to the prohibitions on the use or threat of force were expressly set forth in the charter. The use of force is legal: as a collective measure by the United Nations, or as action by regional agencies in accordance with chapter VIII of the charter, or in individual or collective self-defense.

When article 2, paragraph 4 was written it was widely regarded as general international law, governing both members and nonmembers of the United Nations. And on the universal reach of the principle embodied in article 2, paragraph 4, wide agreement remains. Thus, last year, a United Nations Special Committee on Principles of International Law Concerning Friendly Relations and Cooperation Among States met in Mexico City. All shades of United Nations opinion were represented. The Committee's purpose was to study and possibly to elaborate certain of those principles. The Committee debated much and agreed on little. But on one point, it reached swift and unanimous agreement: that all states, and not only all members of the United Nations, are bound to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state. Nonrecognition of the statehood of a political entity was held not to affect the international application of this cardinal rule of general international law.

But at this same meeting in Mexico City, Czechoslovakia, with the warm support of the Soviet Union and some other members, proposed formally another exemption from the limitations on use of force. Their proposal stated that: "The prohibition of the use of force shall not affect * * * self-defense of nations against colonial domination in the exercise of the right of self-determination."

The United States is all for self-defense. We are against colonial domination—we led the way in throwing it off. We have long favored self-determination, in practice as well as in words—indeed, we favor it for the entire world, including the peoples behind the Iron and Bamboo Curtains. But we could not accept the Czech proposal. And we were pleased that the Special Committee found the Czech proposal unacceptable.

The primary reason why we opposed that attempt to rewrite the charter—apart from the inadmissibility of rewriting the charter at all by such means—was that we knew the meaning behind the words. We knew that like so many statements from such sources, it used upside down language—that it would in effect authorize a state to wage war, to use force internationally, as long as it claimed it was doing so to liberate somebody from colonial domination. In short, the Czech resolution proposed to give to so-called wars on national liberation the same exemption from the limitation on the use of force which the charter accords to defense against aggression.

What is a war of national liberation? It is, in essence, any war which furthers the Communist world revolution—what, in broader terms, the Communists have long referred to as a just war. The term "war of national liberation" is used not only to denote armed insurrection by people still under colonial rule—there are not many of those left outside the Communist world. It is used to denote any effort led by Communists to overthrow by force any non-Communist government.

Thus the war in South Vietnam is called a war of national liberation. And those who would overthrow various other non-Communist governments in Asia, Africa, and Latin America are called the forces of national liberation.

Nobody in his right mind would deny that Venezuela is not only a truly independent nation but that it has a government chosen

in a free election. But the leaders of the Communist insurgency in Venezuela are described as leaders of a fight for national liberation—not only by themselves and by Castro and the Chinese Communists, but by the Soviet Communists.

A recent editorial in Pravda spoke of the peoples of Latin America * * * marching firmly along the path of struggle for their national independence and said: "the upsurge of the national liberation movement in Latin American countries has been to a great extent a result of the activities of Communist parties." It added: "The Soviet people have regarded and still regard it as their sacred duty to give support to the peoples fighting for their independence. True to their international duty the Soviet people have been and will remain on the side of the Latin American patriots."

In Communist doctrine and practice, a non-Communist government may be labeled and denounced as "colonialist," "reactionary," or a "puppet," and any state so labeled by the Communists automatically becomes fair game * * * while Communist intervention by force in non-Communist states is justified as "self-defense" or part of the "struggle against colonial domination." "Self-determination" seems to mean that any Communist nation can determine by itself that any non-Communist state is a victim of colonialist domination and therefore a justifiable target for a war of "liberation."

As the risks of overt aggression, whether nuclear or with conventional forces, have become increasingly evident, the Communists have put increasing stress on the "war of national liberation." The Chinese Communists have been more militant in language and behavior than the Soviet Communists. But the Soviet Communist leadership also has consistently proclaimed its commitment in principle to support wars of national liberation. This commitment was reaffirmed as recently as Monday of this week by Mr. Kosygin.

International law does not restrict internal revolution within a state, or revolution against colonial authority. But international law does restrict what third powers may lawfully do in support of insurrection. It is these restrictions which are challenged by the doctrine, and violated by the practice, of "wars of liberation."

It is plain that acceptance of the doctrine of "wars of liberation" would amount to scuttling the modern international law of peace which the charter prescribes. And acceptance of the practice of "wars of liberation," as defined by the Communists, would mean the breakdown of peace itself.

IV

Vietnam presents a clear current case of the lawful versus the unlawful use of force. I would agree with General Giap and other Communists that it is a test case for "wars of national liberation." We intend to meet that test.

Were the insurgency in South Vietnam truly indigenous and self-sustained, international law would not be involved. But the fact is that it receives vital external support—in organization and direction, in training, in men, in weapons and other supplies. That external support is unlawful, for a double reason. First, it contravenes general international law, which the United Nations Charter here expresses. Second, it contravenes particular international law: The 1954 Geneva accords on Vietnam, and the 1962 Geneva agreements on Laos.

In resisting the aggression against it, the Republic of Vietnam is exercising its right of self-defense. It called upon us and other states for assistance. And in the exercise of the right of collective self-defense under the United Nations Charter, we and other nations are providing such assistance.

The American policy of assisting South Vietnam to maintain its freedom was inaugurated under President Eisenhower, and continued under Presidents Kennedy and Johnson. Our assistance has been increased because the aggression from the North has been augmented. Our assistance now encompasses the bombing of North Vietnam. The bombing is designed to interdict, as far as possible, and to inhibit, as far as may be necessary, continued aggression against the Republic of Vietnam.

When that aggression ceases, collective measures in defense against it will cease. As President Johnson has declared: "If that aggression is stopped, the people and government of South Vietnam will be free to settle their own future, and the need for supporting American military action there will end."

The fact that the demarcation line between North and South Vietnam was intended to be temporary does not make the assault on South Vietnam any less of an aggression. The demarcation lines between North and South Korea and between East and West Germany are temporary. But that did not make the North Korean invasion of South Korea a permissible use of force.

Let's not forget the salient features of the 1962 agreements of Laos. Laos was to be independent and neutral. All foreign troops, regular or irregular, and other military personnel were to be withdrawn within 75 days, except a limited number of French instructors as requested by the Lao Government. No arms were to be introduced into Laos except at the request of that Government. The signatories agreed to refrain "from all direct or indirect interference in the internal affairs" of Laos. They promised also not to use Lao territory to intervene in the internal affairs of other countries—a stipulation that plainly prohibited the passage of arms and men from North Vietnam to South Vietnam by way of Laos. An International Control Commission of three was to assure compliance with the agreements. And all the signatories promised to support a coalition government under Prince Souvanna Phouma.

What happened? The non-Communist elements complied. The Communists did not. At no time since that agreement was signed have either the Pathet Lao or the North Vietnam authorities complied with it. The North Vietnamese left several thousand troops there—the backbone of almost every Pathet Lao battalion. Use of the corridor through Laos to South Vietnam continued. And the Communists barred the areas under their control both to the Government of Laos and the International Control Commission.

To revert to Vietnam: I continue to hear and see nonsense about the nature of the struggle there. I sometimes wonder at the gullibility of educated men and the stubborn disregard of plain facts by men who are supposed to be helping our young to learn—especially to learn how to think.

Hanoi has never made a secret of its designs. It publicly proclaimed in 1960 a renewal of the assault on South Vietnam. Quite obviously its hopes of taking over South Vietnam from within had withered to close to zero—and the remarkable economic and social progress of South Vietnam contrasted, most disagreeably for the North Vietnamese Communists, with their own miserable economic performance.

The facts about the external involvement have been documented in white papers and other publications of the Department of State. The International Control Commission has held that there is evidence "beyond reasonable doubt" of North Vietnamese intervention.

There is no evidence that the Vietcong has any significant popular following in South Vietnam. It relies heavily on terror. Most of its reinforcements in recent months have been North Vietnamese from the North Vietnamese Army.

Let us be clear about what is involved today in southeast Asia. We are not involved with empty phrases or conceptions which ride upon the clouds. We are talking about the vital national interests of the United States in the peace of the Pacific. We are talking about the appetite for aggression—an appetite which grows upon feeding and which is proclaimed to be insatiable. We are talking about the safety of nations with whom we are allied—and the integrity of the American commitment to join in meeting attack. It is true that we also believe that every small state has a right to be unmolested by its neighbors even though it is within reach of a great power. It is true that we are committed to general principles of law and procedure which reject the idea that men and arms can be sent freely across frontiers to absorb a neighbor. But underlying the general principles is the harsh reality that our own security is threatened by those who would embark upon a course of aggression whose announced ultimate purpose is our own destruction. Once again we hear expressed the views which cost the men of my generation a terrible price in World War II. We are told that southeast Asia is far away—but so were Manchuria and Ethiopia. We are told that if we insist that someone stop shooting that that is asking them for unconditional surrender. We are told that perhaps the aggressor will be content with just one more bite. We are told that if we prove faithless on one commitment that perhaps others would believe us about other commitments in other places. We are told that if we stop resisting that perhaps the other side will have a change of heart. We were asked to stop hitting bridges and radar sites and ammunition depots without requiring that the other side stop its slaughter of thousands of civilians and its bombings of schools and hotels and hospitals and railways and buses.

Surely we have learned over the past three decades that the acceptance of aggression leads only to a sure catastrophe. Surely we have learned that the aggressor must face the consequences of his action and be saved from the frightful miscalculation that brings all to ruin. It is the purpose of law to guide men away from such events, to establish rules of conduct which are deeply rooted in the reality of experience.

V

Before closing, I should like to turn away from the immediate difficulties and dangers of the situation in southeast Asia and remind you of the dramatic progress that shapes and is being shaped by expanding international law.

A "common law of mankind"—to use the happy phrase of your distinguished colleague, Wilfred Jenks—is growing as the world shrinks, and as the vistas of space expand. This year is, by proclamation of the General Assembly, International Cooperation Year, a year "to direct attention to the common interests of mankind and to accelerate the joint efforts being undertaken to further them." Those common interests are enormous and intricate, and the joint efforts which further them are developing fast, although perhaps not fast enough.

In the 19th century, the United States attended an average of one international conference a year. Now we attend nearly 600 a year. We are party to 4,300 treaties and other international agreements in force. Three-fourths of these were signed in the last 25 years. Our interest in the observance of all of these treaties and agreements is profound, whether the issue is peace in Laos, or the payment of the United Nations assessments, or the allocation of radio frequencies, or the application of airline safeguards, or the control of illicit traffic in narcotics, or

any other issue which states have chosen to regulate through the lawmaking process. The writing of international cooperation into international law is meaningful only if the law is obeyed—and only if the international institutions which administer and develop the law function in accordance with agreed procedures, until the procedures are changed.

Everything suggests that the rate of growth in international law—like the rate of change in almost every other field these days—is rising at a very steep angle.

In recent years the law of the sea has been developed and codified—but it first evolved in a leisurely fashion over the centuries. International agreements to regulate aerial navigation had to be worked out within the period of a couple of decades. Now, within the first few years of man's adventures in outer space, we are deeply involved in the creation of international institutions, regulations, and law to govern this effort.

Already the United Nations has developed a set of legal principles to govern the use of outer space and declared celestial bodies free from national appropriation.

Already nations, including the United States and the Soviet Union, have agreed not to orbit weapons of mass destruction in outer space.

Already the Legal Subcommittee of the United Nations Committee on Outer Space is formulating international agreements on liability for damage caused by the reentry of objects launched into outer space and on rescue and return of astronauts and space objects.

Already the first international sounding rocket range has been established in India and is being offered for United Nations sponsorship.

To make orderly space exploration possible at this stage, the International Telecommunications Union had to allocate radio frequencies for the purpose.

To take advantage of weather reporting and forecasting potential of observation satellites, married to computer technology, the World Meteorological Organization is creating a vast system of data acquisition, analysis, and distribution which depends entirely on international agreement, regulation, and standards.

And to start building a single global communications satellite system, we have created a novel international institution in which a private American corporation shares ownership with 45 governments.

This is but part of the story of how the pace of discovery and invention forces us to reach out for international agreement, to build international institutions, to do things in accordance with an expanding international and transnational law.

Phenomenal as the growth of treaty obligations is, the true innovation of 20th century international law lies more in the fact that we have nearly 80 international institutions which are capable of carrying out those obligations.

It is important that the processes and products of international cooperation be understood and appreciated; and it is important that their potential be much further developed. It is also important that the broader significance of the contributions of international cooperation to the solving of international problems of an economic, social, scientific, and humanitarian character not be overestimated. For all the progress of peace could be incinerated in war.

Thus the control force in international relations remains the paramount problem which confronts the diplomat and the lawyer—and the man in the street and the man in the ricefield. Most of mankind is not in an immediate position to grapple very directly with that problem, but the problem is no less crucial. The responsibility of those, in your profession and mine, who do grapple with it is the greater. I am happy to acknowledge that this society, in thinking and debating courageously and constructively about the conditions of peace, continues to make its unique contribution and to make it well.

Mr. MORSE. Mr. President, it is perfectly obvious what the Secretary of State would like to see. It is perfectly obvious what other spokesmen for this administration, whose statements I shall comment upon shortly, would like to see. They would like to see us go silent. They would like to see the critics of the Johnson administration policy in Asia go silent. But let me say to the Johnson administration that no matter how many attacks they make on the senior Senator from Oregon, no matter how many attacks of the likes of the propaganda that was issued this morning by a spokesman for this administration, my lips will not be closed. I intend to continue to carry to the American people what I honestly believe to be the facts about the wrong policy of the Johnson administration in making war in Asia on a unilateral basis, completely outside the framework of international law, and in violation of one treaty after another to which the signature of the United States is affixed. I tell the American people today, as I said in Eugene, Oreg., last Friday night, that if the Johnson administration continues its present warmaking policy in Asia, the probabilities are that 12 months from now there will be several hundred thousand boys fighting and dying in Asia. That is my conviction.

As a member of the Committee on Foreign Relations, I, too, have sat through briefings. On the basis of those briefings, I see no other result than an all-out massive war in Asia. That war will kill hundreds of thousands of American boys. The time to stop that war is now. It can be stopped honorably if the administration will face up to the ugly realities that confront the world. It can be stopped now if our allies, who are giving us all words of encouragement but none of the men to join in doing the dying in Asia, will live up to the signatures on treaties that they signed. I mean specifically such countries as Canada, to the north, Great Britain, France, Italy, and our other NATO allies. I mean every nation that has affixed its signature to the Charter of the United Nations, because every nation that has affixed its signature to that charter and has not carried out its obligation to that charter by seeking to bring the procedures of the charter into effect to try to stop the war in Asia, to preserve the peace of the world, is violating its international treaty obligations.

It is very interesting to read the statement of the Secretary of State in a shocking speech last Saturday night. Apparently the speech is a part of the effort of this administration to drive criticism of its policies underground, because it charges that some of those who speak against the administration are appeasers, in some way, aiding and abetting Communists.

I say to McNamara and to Rusk, I say to President Johnson: "Not a single one of you hates communism more than does the senior Senator from Oregon; but I completely disagree with your judgment as to how you believe the Communist threat can be handled. The Communist threat cannot be handled successfully with war. The Communist threat cannot be handled successfully with bombing. The Communist threat cannot be handled successfully by the United States setting itself up as a one-man policeman in an action to police the world against communism."

What rot, what absurdity, to think that this point of view would come to be given serious thought by the Government of the United States. It is beyond my power of comprehension.

To talk about the United States containing communism is the way to make Communists. Unilateral American military action in Asia is bound to create strength for communism.

But line up 85, 90, or 95 nations under the procedures of existing international law to keep the peace rather than to make war, and we will see a turn of events in human history that will once again return us to the road of peace and have us come back from the shocking road of war that we are now traveling.

We want to get used to this activity, I say to my associates in the Senate who have been criticizing the administration for its warmaking in Asia. We want to get used to the kind of language that will be used by our detractors and will be used, apparently, by those who do not know us; for if they think their actions will drive us underground, they could not be more wrong. We read such tommyrot as this:

> Modern-day appeasers and isolationists are making our task difficult. Every day they make speeches and engage in some sort of irresponsible student rally.
>
> The Communists are led to believe that we will surrender all of Asia to them without a nuclear showdown if they will just keep up the pressure.
>
> So long as our enemies suspect that this may be the case, they are going to pay an increasingly greater price to test our will.
>
> Therefore I have no doubt that our losses in Vietnam will increase so long as anyone suspects that the handful of Senators and Congressmen and the bearded beatniks—
>
> **I have only a mustache—**
>
> with the peace-at-any-price placards represent anything more than a small, poorly regarded fragment of American thinking.

That is the kind of smear tactic we can expect, I say to the Senator from Alaska [Mr. GRUENING]. He has already received some. What the administration is worried about, in part—and I think I engage in an understatement when I say it—is that at least 80 percent of the academic world in this country are against the administration's policies in Vietnam, for the authorities, scholars, and students on Asia know that the Johnson administration is leading the country into a massive war that will kill hundreds of thousands of persons.

Do not forget that even ignorant, illiterate orientals are also children of God. I sat and listened to a briefing by a high spokesman of the Government who took pride in the fact that now, at long last, we have a ratio of killing that is about

4 to 1 ratio in our favor. What has happened to our spiritual values? What has happened to our professing about believing in God? If we do not watch out, the propagandists will soon be telling the people of the country that God is on our side, for usually when we get into this kind of war hysteria, it is interesting to note how quickly the advocates of killing associate God with their cause. That does not have any relationship to and is not a part of my religious faith. I merely say that, in my judgment, my country is following an immoral, godless policy in Vietnam, for this war, in my judgment, cannot be reconciled with spiritual values.

I shall continue to pray to my God for peace; not for war.

Mr. President, let me say to the Johnson administration that the war now is not only McNamara's war and Rusk's war; it is Johnson's war, as well. This administration has a solemn moral responsibility to stop the killing.

I say to the clergy of America: Let us hear from you. I want to hear the church bells of America ring, not toll. The church bells of America are going to toll and toll and toll as the coffins start coming back from Asia if the Johnson administration's war in Asia is not stopped.

I say to our allies: I want to hear from you. I want to hear our allies say, at long last, that they will have the courage to call the United States and the Communists to an accounting under the procedures of international law.

The attack by Rusk and the attacks by other spokesmen of the administration upon the academic fraternity of this country, at least 80 percent of whom repudiate the Johnson war in Asia, must be met.

I announce to the Secretary of State, "Mr. Secretary, I shall meet you anywhere, before as many university campus faculty meetings as you want to arrange. I shall discuss with you the McNamara-Rusk war in Asia."

I say to the academic world, "Meet them, for you have a great service to perform by bringing your authoritative knowledge to bear upon the great issue that the United States has now raised in threatening the peace and the future of mankind."

Says McNamara this morning, and I paraphrase him, "He does not think that Russia and Red China will come into the war." I say that he has been so irresponsibly wrong for so long that any prediction that McNamara makes about the future course of this war in Asia, in my judgment, should be discounted and completely discredited. He ought to have been removed as Secretary of Defense months ago, and the Secretary of State along with him.

We are confronted now with what I think is probably one of the most vital issues that has faced this Republic in all of its history. It is a vital issue that is very important to the security and future of this Republic. The many who are meeting on the campuses of America, seeking to exercise their precious right to petition this Government in opposition to a policy, have, in my judgment, every reason to have fear as far as the future of this Republic is concerned. I say to those academic leaders, "So many of you have asked me for so many months past, 'What can we do? We feel helpless.'" I say, "You can now rise up in campus after campus, in city after city, in community after community, and tell the country your answers to the propaganda of this administration's seeking to lull the population of this Nation into the false assumption that we are justified in increasing the rate of this war."

McNamara said this morning that he did not think that Russia and China would come into the war. My rhetorical question to that statement is: "Mr. Secretary, suppose they do?" I happen to think that our course of action and the plans for escalating this war that Rusk, McNamara, and Taylor intend to implement leave China and Russia no other course than to come into this war.

When they escalate those plans and those nuclear installations of China are destroyed—and the preventive war crowd in the Pentagon Building, in my judgment, are bent on destroying them—the massive war in Asia is on. World War III will then be over the brink, into which war we will tumble hundreds of thousands of American boys. It must be stopped. The only place to stop it is here in the United States, by the American people making it perfectly clear to the Johnson administration that they want a change from warmaking in Asia to the United States joining with other nations in peace keeping in Asia.

What makes anyone think that Red China, North Vietnam, and the Vietcong are going to come to any conference table called by the United States, no matter how nice sounding the semantics of unconditional discussion? Of course, we ought to have unconditional discussion. I applaud the President for his enunciation of the concept. It has to be implemented. It cannot be implemented by the United States. It must be implemented by others.

That is why our country ought to do now what it should have done 2 years ago. In fact, we never should have violated the Geneva accords as we have been violating them from the very beginning. We should have insisted that this whole matter be laid before the nations of the world for a peaceful solution.

Mr. President, it is with great sadness in my heart that I speak out strenuously against my Government. But this is not the last time, may I tell you, Mr. President, Mr. Rusk, and Mr. McNamara. I say, "If you continue with this kind of propaganda, starting with the Rusk unfortunate speech of Saturday night, the Senator from Oregon and the Senator from Alaska will not be alone. An increasing number of people across this country must speak out and will."

Let me say to these academic leaders and authorities in regard to Asia—who, in my judgment, were so unjustifiably attacked by innuendo, implication, and direct language by the Secretary of State last Saturday night, and by some of the spokesmen of this administration this morning—that those attacks will and must be answered.

Therefore, I do not welcome this controversy. But I am ready to meet the challenge. I am ready to meet the Secretary of State across the land before the very people he criticized last Saturday night, and let the facts be the judge. Let the facts speak for themselves.

What this means, of course, Mr. Secretary of State and Mr. Secretary of Defense, is that we will start telling all the facts to the American people, for the concealment from the American people of many things that are going on in southeast Asia and their rewriting of history after the fact are a betrayal of the trust of the office of Secretary of State and Secretary of Defense, and also a betrayal of the American people themselves.

Let the Defense Establishment and the State Department tell the American people the facts about the innumerable times that the Geneva Treaty on war prisoners has been violated not only by the Vietcong, but by the South Vietnamese, with their U.S. advisers standing by doing nothing while these atrocities go on.

I never expected to live long enough to read the accurate accounts of the atrocities committed against the Vietcong—of course, the atrocities have gone the other way, too, those of the Vietcong against the South Vietnamese—such as the United Press dispatch last Friday reported. How those stories ever got out of Vietnam is a matter of wonder, because, let the American people know, the Pentagon and the State Department are seeking to screen the information that is coming out of Vietnam. Some of our correspondents who have written have even been arrested by the American military in order to prevent them from having access to events so they can tell the American people about them.

Mr. President, what do you suppose Ernie Pyle would say if he could come back to earth? What do you suppose other fearless war correspondents would say? We have just as fearless and courageous war correspondents in Vietnam today. Many of them have been muzzled. They are not being allowed to tell the truth about the Johnson-Rusk-McNamara war.

The United Press dispatch told of a Vietcong prisoner with cloth wrapped around his neck, being subjected to a tug of war ordered on each end of that cloth while American military men stood by in silence. God forbid. God forbid. I know war is dirty. I know that when people become hysterical in combat, inhumanity to man is practiced. But the reports of these atrocities are too frequent to be alibied on the ground of temporary hysteria.

The sad fact is that the United States has not been doing its duty and standing up for the enforcement of the Geneva Treaty in regard to the handling of war prisoners. That inaction is not justified by pointing at the terror and viciousness of the Vietcong.

Mr. President, I wanted to make this statement as a matter of personal privilege, for I do not have to be hit on the head with a bat to know who is referred to in the vicious propaganda of the administration. I am well aware of the unhappiness I have caused for the John-

son administration because I have been speaking on an average of two to four times a week in opposition to my country's outlawry in Vietnam. But I intend to continue to do so, here and elsewhere.

I invite the Secretary of State to join me at meetings he selects, to meet with the academic group which he insulted Saturday night in his speech, and discuss there our points of view. But, Mr. Secretary, when you meet me on the platform, do not try to hide behind executive privilege. When we meet on the platform, do not give me the old line that you cannot tell me something because it might affect our security. Every time we ask for information to which we are entitled, the officials hide behind executive privilege. To you, the people, I say, "Demand of the Johnson administration that you be given all the information about the war in Asia."

I have stated before, and I repeat now, as an ardent supporter of the administration in most matters—probably 95 percent—that nothing could pain me more than to so completely disagree with the President in his foreign policy in Asia. But, as I have told him, I completely disagree with him.

I am satisfied that if he continues to follow the ill advice of McNamara and Rusk, he will come out of office the most discredited President in the history of this Nation.

No President can lead this Nation into a massive war in Asia, with all the consequences that will flow for many decades to come, and not go down in American history as totally discredited. This war is totally unnecessary.

We can bring economic freedoms, with resulting political freedoms, to the masses of Asia without killing them by the millions first. Our present course of action will kill Asians by the millions, and it will also kill Americans, by the hundreds of thousands.

Mr. President, several weeks ago I received a very interesting letter from Mr. and Mrs. Howard Kurtz, of Chappaqua, N.Y., outlining some of their ideas for the control of war. Mr. Kurtz is a management consultant and former Air Force lieutenant colonel. Mrs. Kurtz is an ordained minister of the United Church of Christ.

As Mr. and Mrs. Kurtz suggests, an administration that can make "war on poverty," might well give time and thought to making "war on war."

I ask unanimous consent to have printed in the RECORD the letter I received from them, together with a press interview which appeared in the Reporter-Dispatch of White Plains, N.Y., on March 3, 1965.

There being no objection, the letter and press release were ordered to be printed in the RECORD, as follows:

WAR CONTROL PLANNERS, INC.,
Chappaqua, N.Y., March 17, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Vietnam is proof of American strategic failure. We lose if the war escalates. We lose if we withdraw. We lose if we negotiate a truce, freeing the enemy to regather his force for yet another thrust.

We are fighting a war in a location chosen by the enemy, at a time chosen by the enemy, in terrain beneficial to the enemy, and fighting the kind of war which is to the advantage of the enemy. We play the enemy's game, in the enemy's ballpark, according to the enemy's rules, when and if the enemy wants to play.

Every attack we make turns more Asian people, and other people of the world against us. Every attack weakens the cohesion with allied people and nations. Every attack tends to reunite our Communist enemies. Every attack tends to tarnish our image of moral leadership before the world, to the advantage of the enemy. Our excuse, as always, is that the "Communists" have forced us to do these things. It is our confession of weakness for mankind to see, that the "Communists" have the power to force us to do the things we say we do not want to do * * * things which jeopardize our own national security.

Americans are being killed in Vietnam in a war being fought in a strategic vacuum.

The strategic problem: The people of all nations are endangered if Vietnam escalates into modern war. The people of all nations need protection, not threat of annihilation. The nation which assumes responsibility for world leadership will not be the nation brandishing the power to destroy all nations * * * nor will it be the nation which disarms and weakens leadership strength. The deepest instincts of self-preservation and national defense will move the people of all nations to follow the leadership of that great power which will dare develop and demonstrate war safety power to guarantee the national security and political independence of all nations.

The President and world leadership: The President can now issue directives to the Joint Chiefs of Staff and National Security Council to begin active planning, development, creation, and demonstration of global war safety control systems strong enough to protect Israel people from the Arabs * * * protect Arab people from the Israeli * * * protect European people from the Germans * * * protect German people from the Russians * * * protect Russian people from the Chinese * * * protect the people of all nations against threats of war or domination from any foreign source * * * strong enough to prevent production and proliferation of nuclear weapons, and other weapons, in all nations * * * strong enough to control production of war materiel, within an entirely new world security organization, or a vastly revised and strengthened United Nations, not world government.

This will be the most difficult and complex problem man has ever mobilized to solve. It will require a generation of creativity in military-technological-legal-economic-public opinion-political-moral fields. There is no precedent in military or political science, for an all-nation defense system. But man now has all of the necessary components within reach, if the effort is made, in addition to maintaining national defense power.

The first international war safety year * * * 1967? The President can project a future yearlong exhibition of man's emerging new power to inspect, detect, and forcefully prevent any preparations or actions of war, anywhere in the world between nations. International war safety games can be held on a world stage for mankind to witness. The President can invite all nations to participate, to assure themselves this is not a plan for the United States to dominate the world. No nation will be able to veto the war safety games. They will be held with whatever nations chose to cooperate, but all communications channels will be used to see that the people of all nations learn the facts of the developing future power to protect their nations, and all other nations from danger of war. There are thousands of "impossible" problems which can be solved, when if the great new initiative begins with strong congressional bipartisan support, and authorizations and budgets.

But who in the hierarchy of American power wants to remove the threat of war?

Profiting from national insecurity: For 4 years, highest military and civilian advisers have refused to bring this new strategic power opportunity to the attention of President Kennedy or President Johnson. There are no evil men involved. There are dangerous unconscious motivations. Each time Communist world power and threat leaps up to new magnitude, American public danger goes up; Americans defense industry capital gains and executive bonuses go up; nonprofit military think-factory budgets go up; engineering university research grants go up; subsidies for scientists go up; military responsibilities and promotions go up; the personal prosperity of the hierarchy of national security policy goes up.

In view of this barrier of self-interest, who will tell the American people and the President that we have within reach the power of safety—the power to bring the threat of war under control throughout the world?

Sincerely yours,

HOWARD G. KURTZ.
HARRIET B. KURTZ.

[From the Reporter Dispatch, White Plains, N.Y., Mar. 3, 1965]

CHAPPAQUA: PROFILE FOR A WEDNESDAY AFTERNOON—TECHNOLOGY, THEOLOGY JOIN FOR PEACE

(By Daniel Harrison)

CHAPPAQUA.—A remarkable couple has combined technology and theology with the aim of creating an "all-nation" defense system which would end the arms race and reduce international tension.

Over coffee in their book-lined living room at 150 South Bedford Road the other day, Mr. and Mrs. Howard G. Kurtz discussed war safety control, now nascent but hopefully "the next historic stage" in man's age-old quest for security.

Mr. Kurtz is a management consultant and a former Air Force lieutenant colonel. His wife, Harriet, was ordained a minister of the United Church of Christ at the First Congregational Church last November.

In essence, war safety control calls for a worldwide intelligence system manned by scientists to detect and evaluate rapid military buildups and the use of United Nations inspection teams to investigate potential danger areas.

It is not, according to Mr. Kurtz, the same as disarmament, but a "new kind of power" in many dimensions, "something new to break a generation-long crisis."

GLOBAL NETWORK

The system the couple envisions would create a global communications network feeding data into electronic computer centers' air traffic control centers, electronic auditing of highways and railways, television equipped satellites and sensory devices that would detect radioactivity and bacteria that might be used in warfare. The couple has produced a booklet and a film on their plan, and much of the material is quite technical and complex.

Once "war safety control" is established, Mr. and Mrs. Kurtz say, nations would begin to eliminate their most destructive weapons.

The system is an extraordinary blending of ethical and technical concerns. In addition to data on the laser and cybernetics, the booklet contains statements from, among others, religious leaders endorsing the concept. Prominent persons in various other fields such as Senator JACOB K. JAVITS and Elmo Roper have reacted favorably.

On the theological side, Reverend Kurtz believes too many clergymen have been silent

on issues of war and peace because they have been caught between their desire for peace and their patriotic instincts. She believes that war safety control results in a convergence of interests in national security and in an ordered world.

SOLID ALTERNATIVE

Mr. Kurtz believes the system presents a solid alternative to the arms race and simple disarmament, both of which he believes to be "dangerous." He regards national and regional defense systems as demonstrably meaningless, just as the castle became a meaningless defense against artillery. Thus, in his mind, the only alternative to a conflagration is the all-nation security system.

The United States, the plan says, must take the lead. In order for this to take place, the couple believes, public opinion must be aroused in favor of war safety control, and this is the major aim of their initial efforts. The booklet and other literature have been widely distributed, although the organization which the couple has started, War Control Planners, Inc., has no general membership, no dues, no regular meetings, no set program.

"I guess hope keeps us going," Reverend Kurtz said, when asked how a couple can hope to combat what President Eisenhower called the military-industrial complex. Actually, Mr. and Mrs. Kurtz contend, the military would have certain functions under the plan, and skills now being employed toward the manufacture of arms would be used in the detection and control of arms.

INSPECTION DIFFERENCE

Mr. Kurtz notes that the difference between various inspection proposals made during the last decade and his plan is that no agreement from another nation is needed for war safety control to operate.

Reverend Kurtz, saying, "we refuse to believe this (the present world situation) is the way it will stay," notes that their plan will not change basic human instincts toward such things as power and covetousness but will remove the inordinate dimensions these instincts have assumed in the modern world. National envies and hostilities will be curbed, but the couple is quick to point out that national security won't be vitiated under the all-nation security plan. A diminution of "escalation' is the simple aim.

Among other factors needed to make the system work, the Kurtz' booklet notes, are a reevaluation and revamping of international law and the alleviation of economic woes that spur international friction. Specialists in the legal and economic fields, as well as in public opinion, will be needed for the systems implementation.

The couple observes, however, that "true security can be achieved only when this information (that obtained by technical means) is known and believed by all." They note that the detection of Russian missiles in Cuba in 1962 is an example of the type of activity war safety control would engage in, only the next time, as they put it, the fate of over 100 nations would not be dependent on the actions of the leaders of 2.

The report, at great length, thus suggests that modern technology now makes it possible to assure the prevention of war. But technology is not advocated to the exclusion of more spiritual concerns. Reverend Kurtz, in a sermon recently at the First Congregational Church entitled "Our Enemies and Our Religion," said: "If there are new dimensions to technical capabilities, there are as a corollary new dimensions of religious capabilities."

Mr. and Mrs. Kurtz, in their attempts to marshal public support for war safety control, have recently written letters to Vice President HUMPHREY and McGeorge Bundy, a top White House aid, in addition to the chairmen of key congressional committees. They have been assured by a deputy assistant secretary of defense that the Pentagon has not restrained officers who wish to study the plan.

The couple (they have a son and daughter in college), while readily noting that a generation of problem solving may be required to pioneer war control power, is sincerely earnest. Mr. Kurtz has said:

"If the American people are first to demonstrate not only a national defense capability second to none, and not only a group national defense capability such as NATO, but the new magnitude all nation defense capability of war safety control, aggressively to guard all nations against threats of future war, the impact on the public of the world will be so great that no one will remember who was the first to land a lonely astronaut on an empty moon."

Mr. MORSE. Mr. President, I also ask unanimous consent to have certain other communications and editorials printed in the RECORD at this point as a part of my remarks.

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

APRIL 20, 1965.

Hon. WAYNE L. MORSE,
U.S. Senate,
Washington, D.C., U.S.A.

SIR: In view of the critical situation in Vietnam which now threatens peace in Asia and the security of Japan, we, the undersigned, have addressed an appeal to the Japanese Government, calling for its prompt and effective action toward peaceful settlement of the Vietnamese problem.

Enclosed, we are sending you a copy of the appeal, in the hope that it will draw your attention and prove to be of interest to you. We should be grateful if you would, in giving advice to the Chief Executive of the United States, take into your consideration our opinion stated therein.

Sincerely yours,

HYOE OUCHI,
561 Gokurakuji, Kamakura, Kanagawa-ken, Japan, Professor Emeritus of the University of Tokyo, Former President of Hosei University, Member of the Japan Academy.

TOSHIYOSHI MIYAZAWA,
Professor of St. Paul's University, Professor Emeritus of the University of Tokyo, Member of the Japan Academy.

JIRO OSARAGI,
Writer, Member of the Art Academy of Japan.

TETSUZO TANIKAWA,
President of Hosei University.

SAKAE WAGATSUMA,
Professor Emeritus of the University of Tokyo, Member of the Japan Academy.

APPEAL TO THE JAPANESE GOVERNMENT ON THE WAR IN VIETNAM

The devastation and the danger brought about by the war in Vietnam are being aggravated day by day. Not only is this war causing unsurpassable misery to the the people of Vietnam, but it is also constituting a great menace to peace in Asia and to the security of Japan. It is no wonder that there is rapidly growing among the Japanese people concern and apprehension as to the implications of the war. We deeply regret that the Japanese Government has not taken any position action by way of fulfilling its responsibilities to guarantee the security of Japan and to restore peace in Asia.

Therefore, we strongly urge our Government to make a prompt decision according to the three proposals we present below, and to declare its intention to the Japanese people and to other nations.

1. If the United States should persist in her present policy, there is an imminent danger of armed conflicts ensuing between the United States and the People's Republic of China, regardless of the calculated design of the Government of the United States. Furthermore, there is a natural fear for the tension being heightened at the 38th parallel in Korea, between South Korea, who has sent troops to South Vietnam, on the one hand, and North Korea, who has pledged military support to the National Liberation Front (Vietcong), on the other. It is past any dispute that our involvement in these armed conflicts resulting from the military operations of the United States will be absolutely incompatible with the security of Japan.

It is true that Japan is bound by the security treaty to collaborate with the United States. Nevertheless, article I of this treaty holds that, in accordance with the provision of the United Nations Charter, international disputes shall be settled by peaceful means, and the parties to the treaty shall refrain from "the threat or use of force against the territorial integrity or political independence of any state." We believe that the present use of force by the United States in Vietnam is in violation of these provisions. It is evidently in line with the general rule of international law that in such a case Japan is not necessarily bound by the above mentioned duty of collaboration. This point is clearly illustrated by the position of the United States who, at the time of the Suez crisis, opposed the military actions undertaken by Britain and France, in spite of the fact that the United States was in alliance with these two nations.

Accordingly, we appeal to the Japanese Government to manifest its position immediately to its own people and to other nations that if the war in Vietnam should escalate into a war on a larger scale involving additional countries, Japan would refuse to let the U.S. bases in Japan be used for the purpose of military combat operations. A declaration of the Japanese Government in making this stand will in itself be an important impetus toward preventing the war in Vietnam from escalating into armed conflicts between the United States and China or the Soviet Union.

2. The direct cause of such expansion of the war in Vietnam is the air attacks by the United States on North Vietnam. For this reason, the first thing that should take place to prevent this danger is the cessation of the bombardment on North Vietnam by the United States and South Vietnamese forces.

Moreover, the air attacks on the north are in themselves operations beyond the limits of self-defense, even if further escalation of the war might somehow be avoided. Such an abuse of the right of self-defense is contrary to the provisions of the United Nations Charter and article I of the Japan-United States security treaty. It may be noted that the Government of the United States no longer endeavors to justify its actions by invoking such concepts as "retaliation" or "collective self-defense," as it did at the beginning of the air attacks on the north.

Though there may be a certain degree of aid given by North Vietnam to the National Liberation Front, even the figures given by the U.S. Government in the white paper on Vietnam, show clearly that the military assistance from the north is very modest in terms of military force. Looking back on the whole process of the war in Vietnam, we are persuaded to believe that the aid from the north has been more of a counterbalance to the enormous amount of military aid offered by the United States to the South Vietnamese Government, which has taken measures to suppress any groups opposing its policies, and has forfeited the support of the people. This means that the United States is not entitled to justify the air at-

tacks on the north, by citing the help extended by North Vietnam to the National Liberation Front.

For these two reasons, we urge the Japanese Government to appeal to the United States for immediate suspension of the air attacks on the north.

3. At present, in South Vietnam, a gruesome war is going on, side by side with the air attacks on the north. We cannot refrain from expressing our profound indignation against the recent use by the U.S. forces of napalm bombs, poisonous gases and other atrocious weapons, and especially against the bringing in of tactical nuclear weapons into South Vietnam.

If the United States should continue to fight the National Liberation Front with such means of warfare, which would make the war in Vietnam literally a war of annihilation, the greater part of South Vietnam will inevitably be reduced to a scorched land of complete devastation. The people of South Vietnam are exhausted by the war that has lasted more than 20 years. There is no doubt about their not desiring continuation of such a war. The United States, however, is pursuing war efforts and destruction, against the will of the Vietnamese people who are longing for peace. The fact that Japan belongs to Asia makes it all the more impossible for us to remain inactive in the face of the suffering of the people in South Vietnam.

In view of what has been stated above, the war in South Vietnam conducted by the United States cannot escape from being called an inexcusable disregard of human dignity and the right of national self-determination. In order that South Vietnam should emerge out of its present condition of misery and despair, diplomatic negotiations should be opened without delay to terminate the war. In this respect, we welcome President Johnson's statement, made in response to the proposal by the 17 nonalined nations, to the effect that the United States "remains ready for unconditional discussions." This kind of diplomatic discussion, however, must be accompanied by an unconditional ceasefire, so that there can be no room for continued military operations with the aim of gaining a favorable position for negotiation.

The essential conditions for a solution to the war in Vietnam will be firstly to base the whole argument on the recognition that this war is fundamentally a civil war, and should be treated as such; the National Liberation Front should be recognized as a party to the negotiation; the U.S. troops should eventually be withdrawn; and there should be corresponding suspension of the aid from North Vietnam.

We fervently hope that the Japanese Government, in full realization of the points cited above, will send urgent appeals to the United States and other nations concerned to open diplomatic negotiations at once, to which the National Liberation Front should be a party, and to effect an immediate ceasefire, so that there will be the earliest possible restoration of peace in Vietnam.

APRIL 20, 1965.

TOSHIYOSHI MIYAZAWA,
Professor of Law, St. Paul's University, Professor Emeritus of the University of Tokyo, Member of the Japan Academy.

JIRO OSARAGI,
Writer; Member of the Art Academy of Japan.

HYOE OUCHI,
Professor Emeritus of the University of Tokyo, Former President of Hosei University, Member of the Japan Academy.

TETSUZO TANIKAWA,
President of Hosei University.

SAKAE WAGATSUMA,
Professor Emeritus of the University of Tokyo, Member of the Japan Academy.

LIST OF SIGNATURES

Abe, Tomoji, writer; professor of English literature, Meiji University.

Aomi, Junichi, professor of jurisprudence, University of Tokyo.

Ariizumi, Tōru, professor of law, University of Tokyo.

Arisawa, Hiromi, professor emeritus of the University of Tokyo.

Banno, Masataka, professor of Chinese history, Tokyo Metropolitan University.

Egami, Fujio, professor of biochemistry, University of Tokyo.

Egami, Namio, professor of archeology, University of Tokyo.

Fujimoto, Yoichi, professor of physics, Waseda University.

Fukuda, Kanichi, professor of political science, University of Tokyo.

Fukushima, Masoa, professor of Chinese law, University of Tokyo.

Fukutake, Tadashi, professor of sociology, University of Tokyo.

Hidaka, Rokuro, professor of sociology, University of Tokyo.

Hori, Toyohiko, professor of political science, Waseda University.

Horigome, Yozo, professor of European history, University of Tokyo.

Hotta, Yoshie, writer.

Ienaga, Saburo, professor of Japanese history, Tokyo University of Education.

Iizuka, Koji, professor of human geography, University of Tokyo.

Inoue, Yoshio, professor of Tokyo Union Theological Seminary.

Ishii, Teruhisa, professor of law, University of Tokyo.

Ishikawa, Shigeru, professor of economics, Hitotsubashi University.

Isono, Fujiko, lecturer in sociology, Japan Women's University.

Isono, Selichi, professor of law, Tokyo University of Education.

Ito, Masami, professor of law, University of Tokyo.

Ito, Mitsuharu, associate professor of economics, Tokyo University of Foreign Studies.

Ito, Sei, writer.

Iyanaga, Shokichi, professor of mathematics, University of Tokyo.

Jodai, Tano, former president of Japan Women's University.

Kaikō, Takeshi, writer.

Kainō, Michitaka, lawyer.

Kato, Shuichi, writer.

Katsuta, Shuichi, professor of pedagogy, University of Tokyo.

Kawata, Tadashi, associate professor of international economics, University of Tokyo.

Kido, Mataichi, professor of journalism, Doshisha University.

Kikuchi, Isao, former president of Kyushu University.

Kinoshita, Hanji, professor of political history, Tokyo University of Education.

Kiyōmiya, Shiro, professor of law, Nihon University.

Kuno, Osamu, lecturer in philosophy, Gakushuin University.

Kobayashi, Naoki, professor of law, University of Tokyo.

Maruyama, Masao, professor of political Science, University of Tokyo.

Matsuda, Tomoo, professor of economic history, University of Tokyo.

Matsumoto, Nobuhiro, professor of oriental history, Keio University.

Minemura, Teruo, professor of labor law, Keio University.

Miyake, Yasuo, professor of chemistry, Tokyo University of Education.

Miyazaki, Yoshikazu, professor of economics, Yokohama National University.

Munakata, Seiya, professor of pedagogy, University of Tokyo.

Mutai, Risaku, professor emeritus of Tokyo University of Education.

Nagai, Michio, professor of sociology, Tokyo Institute of Technology.

Nakagawa, Zennosuke, professor of law, Gakushuin University.

Nakamura, Akira, professor of political science, Hosei University.

Nakamura, Takafusa, associate professor of statistics, University of Tokyo.

Nakano, Yoshio, professor of English literature, Chuo University.

Nambara, Shigeru, former president of the University of Tokyo.

Niida, Noboru, professor emeritus of the University of Tokyo.

Noda, Yoshiyuki, professor of law, University of Tokyo.

Nogami, Mokichiro, professor of physics, University of Tokyo.

Nogami, Yaeko, authoress.

Nomura, Heiji, professor of labor law, Waseda University.

Nomuro, Kōichi, associate professor of Chinese history, St. Paul's University.

Oe, Kenzaburo, writer.

Okōchi, Kazuo, president of the University of Tokyo.

Ooka, Shohei, writer.

Otsuka, Hisao, professor of economic history, University of Tokyo.

Saitō, Makoto, professor of American history, University of Tokyo.

Sakamoto, Yoshikazu, professor of international politics, University of Tokyo.

Satō, Isao, professor of constitutional law, Seikei University.

Sugi, Toshio, professor of French literature, St. Paul's University.

Sumiya, Mikio, professor of economics, University of Tokyo.

Serizawa, Kōjirō, writer.

Tajima, Eizō, professor of physics, St. Paul's University.

Takahashi, Kōhachirō, professor of economic history, University of Tokyo.

Takano, Yūichi, professor of international law, University of Tokyo.

Takeda, Kiyoko, professor of history of thought, International Christian University.

Takeuchi, Yoshimi, writer, Chinese literature.

Tamanoi, Yoshirō, professor of economics, University of Tokyo.

Tanaka, Shinjirō, critics, arms control and disarmament.

Tsuru, Shigeto, professor of economics, Hitotsubashi University.

Tezuka, Tomio, professor of German literature, St. Paul's University.

Tomonaga, Sin-itiro, professor of physics, Tokyo University of Education.

Toyoda, Toshiyuki, professor of physics, St. Paul's University.

Uchiyama, Shōzō, professor of civil law, Hosei University.

Uemura, Tamaki, honorary president of Japan YWCA.

Wakimura, Yoshitarō, professor emeritus of the University of Tokyo.

Watanabe, Kazuo, professor of French literature, St. Paul's University.

Yamamoto, Tatsuo, professor of southeast Asian history, University of Tokyo.

Yoshida, Hidekazu, music critic.

Yoshida, Tomizō, director, Cancer Institute, Tokyo.

Hirotsu, Kazuo, writer.

NEW YORK UNIVERSITY,
Bronx, N.Y., April 23, 1965.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: The ad hoc faculty committee on Vietnam and the ad hoc student committee on Vietnam wish to express our agreement with your public call for a temporary cessation in the air raids over Vietnam. At the same time we would like to apprise you of what we have done to stimulate a thoughtful revision of American policy on Vietnam. On Wednesday evening, April 14, a teach-in on American policy in Vietnam was held on the University Heights campus of New York University.

The response of the college community to the teach-in has demonstrated that concern over the present course of our involvement in southeast Asia is uppermost in the minds of many Americans. An auditorium of 400 seats was filled to capacity, with standees from 8 p.m. to 1:30 a.m. To handle the overflow, the speeches were sent over the public address system to an adjacent cafeteria. At 4:30 a.m., the final lecture of the evening was heard by 250. Allowing for turnover, a safe estimate is that over 700 students and faculty were in attendance. This is reputed to be the largest audience ever to attend a discussion on public affairs at University College. The strong effect this meeting exerted on the audience has been shown by the debate on Vietnam which dominated the classroom and cafeteria for the remainder of the week.

The political, economic and military background of the Vietnamese war, together with an exposition of the administration policy in Vietnam were presented. While different aspects and views were presented, the consensus of the presentations at the teach-in can be summarized as follows: The United States must take immediate steps to reverse a policy in Vietnam that is both dangerous and futile. The speakers noted that President Johnson's address at Johns Hopkins does offer a possible hope of a move toward a Vietnamese settlement. However, they repeatedly stated that continuing elements of the U.S. policy preclude realization of that hope and that the modified policy is still both dangerous and futile.

The willingness to negotiate unconditionally will not bear fruit until a minimal situation is created for North Vietnam's participation in negotiations: a cessation of air attacks on North Vietnam and the inclusion of the Vietminh in all negotations. Whether North Vietnam or the Vietminh will come to the bargaining table under these conditions is problematical; that they will not come without them has been borne out by statements subsequent to the President's speech. No offer of a major development program for southeast Asia, however inviting, can get negotiations underway until these conditions are met. Men will sit down and reason together only when honor and politics permit.

Respectfully yours,

CONSTANCE R. SUTTON,
PHILIP G. ZIMBARDO,
Cochairmen, Ad Hoc Faculty Committee on Vietnam.

OPEN LETTER TO THE FACULTY OF NEW YORK UNIVERSITY

We find ourselves now in a time of great social unrest and political turmoil—a time when we are shocked by the lack of concern and involvement shown by man for his fellow man. It is one thing to be unable to relate oneself to abstractions like "society" or "country," but quite another to disengage oneself from other human beings.

To counter this state of alienation or noninvolvement, perhaps the most serious problem of our generation, a new force has arisen—college students have been in the vanguard of protest movements throughout the country. Their effect within the civil rights movement has been considerable.

It is time for college faculties not only to join their students, but to provide, by example, the leadership in a national protest against our Government's actions in Vietnam.

We believe that the national administration has adopted a military policy which could involve generations of our students in a war on the mainland of Asia.

To preserve peace in Vietnam and to "show the Communists we mean business," we have changed our position from one of providing "advisers" and equipment to the ever-changing South Vietnam governments, to one of direct belligerence. Our Government has explained that its efforts are directed at stopping military aggression. Yet ironically, we support a regime that bombs schoolhouses and ignores the protest of Vietnamese mothers carrying the corpses of their children.

The reasons given to the American people why we must kill as the quickest way to achieve peace would hardly stand examination in a college classroom. We are struck by the Orwellian duplicity used in policy statements: war is peace and destruction means survival.

The pressure of public and world opinion has finally broken the President's silence. He has agreed to consider negotiations, but not to stop the war in order to do it. As President Johnson said, the instruments of war are evidence not of power but of folly. Let us ask, then, that the path to reason not be cluttered by the debris of folly. War is not only foolish: it is immoral.

While we welcome even these ambiguous overtures to peace, we maintain that America must stop all military action immediately in order to conduct negotiations in good faith. Moreover, we must not dictate peace terms, but allow the United Nations to negotiate any settlement.

We, the undersigned, therefore urge a mobilization of faculty in a venture to protest the war in Vietnam, to call for immediate cessation of all bombing, and encourage negotiations which will lead to peace.

PLEASE ANNOUNCE THIS PART TO YOUR CLASSES

We therefore wish to support actively the march on Washington of April 17, 1965, of faculty and students from colleges throughout the Nation, by urging our colleagues and our students to join us on an NYU-sponsored bus to Washington.

A bus will be leaving from our Heights campus early Saturday morning, April 17, and returning here in the evening. The cost will be $6 per seat round trip. Reservations should be made by you as soon as possible. They can be obtained in the lobby of Gould Student Center or at the Faculty Club during lunch time. A number of faculty members have already made this commitment. We need you. Ideally we would like you to come along. If you can't come, would you be willing to contribute money for a student to go?

In addition to this protest to be made in our Nation's Capital, and in order to have the issues presented publicly, we are holding a "teach-in." This is a technique in which faculty members and other informed speakers present information, opinions, and their views about the military, political, social, and moral issues involved in Vietnam (not necessarily the views of the ad hoc committee). There will be an opportunity for questions and discussion. It will be held in the Playhouse, Gould Student Center, on Wednesday, April 14, starting at 8 p.m. We want you to lend your support to this venture. You can do this in several ways:

1. Attend, and convince others to attend.
2. Be willing to assist our committee with the many tasks involved (by contacting one of us immediately).

Philip G. Zimbardo, Chairman; Robert D. Burrowes, Edwin S. Campbell, James T. Crown, Joan Fiss, H. Mark Roelofs, H. Laurence Ross, Constance R. Sutton, Thomas W. Wahman, Ad Hoc Committee on Vietnam.

TEACH-IN ON THE ISSUES IN VIETNAM

(Wednesday night, April 14, 1965, New York University—University College Playhouse, Gould Student Center, West 181st Street and University Avenue, the Bronx, doors open 7:45 p.m.)

8: Philip G. Zimbardo (NYU), chairman, Prof. Seymour Melman, Columbia University, "A Strategy for Peace."

8:50: Dr. Vo Thanh Minh, "The South Vietnamese Position."

9:15: Prof. Amitai Etzioni, Columbia University, "Which Way Out?"

10:15: Constance R. Sutton (NYU), chairman, Prof. Robert Engler, Queens College, "The United States and the World in Revolution."

11: Prof. Ernest van den Haag, New York University, "Is Intervention for Freedom Justified?"

12: Joan Fiss (NYU), chairman, Raymond Brown, Sarah Lawrence College, "The Domestic Economic Implications of the Cold War."

12:45: Prof. Anthony J. Pearce, New York University, "How Did the United States Become Involved in Vietnam: 1954–60?"

1:45: Roscoe C. Brown, Jr. (NYU), chairman, Mr. Ross Flannagan, New York Friends Group, "The Moral and Human Dimensions of the War in Vietnam."

2:30: Michael Arons (NYU), chairman, Prof. James T. Crown, New York University, "The Great War or the Great Society?"

3:15: Prof. Stanley Millet, Briarcliff College, "American Policy in Vietnam."

Sponsors: Ad Hoc Faculty Committee on Vietnam, New York University.

Cochairmen: Philip G. Zimbardo, Constance R. Sutton; Robert D. Burrowes; Edwin S. Campbell; James T. Crown; Joan Fiss; H. Mark Roelofs; H. Laurence Ross; and Thomas W. Wahman.

Ad Hoc Student Committee on Vietnam, New York University.

Cochairmen: B. Diamond; S. Barkas; P. Jacobson; S. Krugman; M. Greenfield; G. Chieffetz; B. Mittenzwei; K. Schoen; D. Feder; J. Meyerson; J. Ween; K. Hirsch; E. Winterbottom; L. Dworkin; L. Giovanella; B. Glushakow; R. Forbes; N. Sachs; J. Roberts; A. Weinert; J. Arak; and A. Greenbaum.

STATEMENT OF AD HOC COMMITTEE FOR A TEACH-IN ON VIETNAM

James Reston wrote, "The first casualty in every shooting war is commonsense, and the second is open and free discussion." As teachers and citizens, we are deeply concerned both with the implications of our present military actions in Vietnam, and with the relative absence of information, debate, and public discussion of the reasons for our involvement there. Our teach-in of April 14, 1965, grows out of these concerns.

We seek to generate discussions based upon the best available information. We do this in the belief that this is one way in which the academic community can best carry out its responsibility toward providing students with an informed basis for their opinions and actions on major issues.

Many topics and views were presented in our teach-in. The speakers were selected on the basis of their area of special competence. A serious attempt was made to present as many informed positions as possible. The conclusions reached by the ad hoc committee do not necessarily represent the views of the speakers. Our major conclusions, therefore, are:

1. The U.S. Government has not offered adequate information and arguments in support of the military risks we are continuing to run in Vietnam.

2. Our present policies in Vietnam have led to the spreading of the war from the south to the north, and create a serious risk of involving the United States in a military conflict with China. We welcome the President's offer for unconditional negotiations, but our stepped-up military actions following the President's offer vitiate the possible positive effect of his gesture.

3. Therefore, we believe that the U.S. Government should cease bombing attacks immediately in the north and should attempt to arrange a cease-fire in the south. This should be followed by negotiations with whomever it may be necessary—not excluding the Vietcong—to the end of insuring peace throughout Vietnam.

4. We disagree that vital interests of the United States are involved in southeast Asia and particularly in Vietnam, and therefore we believe that the solution to the political, social, and economic problems of the peoples of this area should be determined by them with the assistance of the United Nations, and should not be directed by the United States.

5. Finally, we feel that the technique of a "teach-in" is an effective device for providing the academic community with a forum for the public exchange of information and opinions in an atmosphere appropriate to the serious consideration of current, complex issues of national significance.

YALE UNIVERSITY,
DEPARTMENT OF POLITICAL SCIENCE,
New Haven, Conn., April 7, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I am enclosing a copy of a letter on Vietnam sent to the President last week and signed by 209 members of the Yale faculty.

My very best personal wishes.

Sincerely yours,

ROBERT A. DAHL.

YALE UNIVERSITY,
New Haven, Conn., March 29, 1965.

The PRESIDENT OF THE UNITED STATES,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We should be deeply gratified to learn that American policy in Vietnam is to negotiate a settlement. We support such a policy.

We believe that recent American actions in Vietnam are inconsistent with your great goal, which we share, of reducing international tensions and moving toward a more stable and more peaceful world. We realize that the conflict in Vietnam is not subject to a simple solution; we realize also that you and your advisers may have important information of which we are unaware. But on the basis of the information available to us, including the recent white paper, we are strongly persuaded that our policies in Vietnam have been inappropriate.

First, no new elements seem to have been added to the steadily deteriorating political and military situation in Vietnam, except for our recent policy of escalation. After nearly a decade, American policy has failed to produce a stable and friendly regime that commands enough loyal support among the people of South Vietnam to turn the tide of war. The crisis cries out for a new definition of our true interests in Vietnam.

Second, the one new element, the policy of escalation by bombing North Vietnam, incurs great new risks without much promise of achieving its objectives, whatever these may be. The balance of advantage in what is to a great extent a civil war in jungles, mountains, and rice paddies cannot be altered very greatly, we believe, by bombing bases, military personnel, and civilians in North Vietnam; the evidence from World War II, we think, supports this judgment. If the objective is to frighten the leaders of North Vietnam or China into submission, experience from World War II suggests that the method is psychologically inept and that the opposite result from the one hoped for is equally likely. If the objective is to force the Soviet leadership to choose between cooperating with the United States or supporting Communist revolutionary movements in Asia, the United States is, we believe, taking a foolhardy gamble. If Soviet leaders are compelled by us to choose between a total break with Communist China and a total break with the United States, the Soviets may well choose to break with the United States. In any case, our policies make it more difficult to strengthen Russian moderation against Chinese intransigence. Yet, a satisfactory settlement hinges more on the attitudes of leaders in Communist China and the Soviet Union than on North Vietnam. If, then, the objective of recent policy is to enable us to negotiate from strength at some future time, we see little prospect that the tide of war will turn in our favor in the foreseeable future. And if it does not? Must we, in order to "negotiate from strength," then escalate the war to higher and higher levels, run greater and greater risks, provide ever more dramatic provocations to the North Vietnamese to send their large army marching southward, to the Chinese to enter actively into the war, and to the Soviets to abandon their doctrine of peaceful coexistence?

Third, our actions in Vietnam are, we think, producing more enemies than friends of the United States in Asia. It is difficult for us to believe that the ordinary Vietnamese, whether in the south or in the north, see much difference between Americans and their predecessors, the French colonials and their army. We Americans know that our actions are not intended to implement "white imperialism in Asia"; but our policies and actions have a different and much more sinister look to Asians. As to the famous "falling dominoes" argument so commonly used to justify our actions, this is almost exclusively an American doctrine; it does not have much support among the "dominoes" themselves. Indeed, these "dominoes" have a thousand years experience in resisting Chinese imperialism. Our two greatest Asian allies, Japan and India, do not endorse our actions in Vietnam, and so far as we can judge, we lack the support of leaders and the general public in those countries. Prime Minister Shastri has appealed for negotiations, as have Secretary General U Thant, Prince Sihanouk, and two European leaders who could hardly be regarded as naive or sympathetic to Communist expansion, Pope Paul and General de Gaulle.

Fourth, we are deeply concerned with the legal and moral implications of our actions in Vietnam. Our military intervention appears to us, as it evidently does to much of the rest of the world, to constitute a violation of the 1954 Geneva agreements. As to our moral position, we cannot help wondering, Mr. President, whether your advisers have given adequate weight in their calculations to the men, women, and children, whose lives are irreparably harmed or destroyed by our bombings. Have we grown callous to the concrete human meaning of "escalation"?

Finally, Mr. President, we believe that American opinion itself is too divided to sustain a long crisis in Vietnam, much less an enlargement of our participation in that war. Among the people we know best, the community of scholars and teachers, there is extensive opposition to escalation. Indeed, a great many thoughtful people throughout the country, the editors of the New York Times, other journalists, publicists of national repute and unimpeachable integrity, like Walter Lippmann, share our view. We believe, therefore, that our policies in Vietnam run the additional risk of creating such discontent, frustration, and disunity here at home as to impair the achievement of other goals and our effectiveness in dealing with the problem of Vietnam itself.

We therefore urge you, Mr. President, to mobilize the energies of your administration in seeking a new and different solution to the problem of Vietnam. In particular, we urge you to enter into negotiations with the leaders of countries whose agreement is needed in order to bring about a cease-fire, to neutralize the area, and to eliminate the direct military participation of the United States.

We should not presume to specify the precise nature of the negotiations, whether you should use the good offices of General de Gaulle or the auspices of the United Nations, or with what specific leaders or countries you should seek negotiations.

We do strongly urge, however, that the United States vigorously and sincerely seek to arrive at a solution by negotiation, not by escalation. We urge you not to lay down requirements for entering into negotiations that the North Vietnamese or others obviously are not going to meet. Though we may continue to hope for it, we cannot reasonably demand or expect that a cease-fire and a cessation of all activity will precede negotiations: these are among the objectives to be achieved by the negotiations themselves.

If the American Government pursues a policy of negotiation as energetically as it has, until now, pursued its policy of unilateral action, we are most unlikely to be worse off than we are now. Surely we shall be better off than we are going to be as time goes on and our position deteriorates as our military intervention escalates. And there is some reasonable hope that we shall move toward a goal that after 10 years of unilateral action still eludes us, a tenable solution to the conflict in Vietnam.

Respectfully yours,

JOHN BLUM,
Professor of History.
KARL DEUTSCH,
Professor of Political Science.
ROBERT TRIFFIN,
Professor of Economics.
ROBERT A. DAHL,
Professor of Political Science.
GEORGE D. MOSTOW,
Professor of Mathematics.
MARY WRIGHT,
Professor of History.

P.S.—The following members of the faculty of Yale University have subscribed to this statement:

Department of anthropology; J. Buettner-Janusch, associate professor; Harold C. Conklin, professor; Richard N. Henderson, instructor; Sidney W. Mintz, professor; June Nash, assistant professor; Harold W. Scheffler, assistant professor.

Department of architecture: Serge Chermayeff, professor; Peter Millard, assistant professor.

Department of biochemistry: George Brawerman, assistant professor; Michael Caplow, associate professor; William Konigsberg, associate professor; S. Vinogradov, research associate.

Department of biology: R. J. Andrew, assistant professor; N. Philip Ashmole, assistant professor; E. J. Boell, professor; Joseph Gall, professor; Arthur W. Galston, professor; Ken Hartford, laboratory business manager; Christopher K. Mathews, assistant professor; R. Bruce Nicklas, associate professor; Donald F. Poulson, professor; Thomas L. Poulson, assistant professor; Charles L. Remington, associate professor; J. P. Trinkhaus, professor.

Department of chemistry: William Doering, professor; Julian M. Sturtevant, professor.

Department of classics: Eric A. Havelock, professor; Gilbert Lawall, instructor; Adam Parry, associate professor; Peter W. Rose, lecturer; Joseph A. Russo, instructor; Erich Segal, visiting lecturer.

Divinity school: Rev. J. Edward Dirks, professor; Rev. Robert C. Johnson, dean; Rev. K. S. Latourette, professor emeritus; David Little, assistant professor; Rev. B. D. Napier, professor.

Department of economics: Bela Balassa, associate professor; Ronald G. Bodkin, assistant professor; William C. Brainard, assistant professor; Gerald K. Helleiner, assistant professor; Shane J. Hunt, assistant professor; Tjalling C. Koopmans, professor; Donald C. Mead, assistant professor; James L. Pierce, assistant professor; Lloyd G. Reynolds, professor; Mary T. Reynolds, research associate; Peter Schran, assistant professor.

Department of engineering and applied science: J. L. Hirshfield, assistant professor; Franz B. Tuteur, associate professor.

Department of English: E. Talbot Donaldson, professor.

Department of epidemiology and public health: Richard A. Greenberg, assistant professor; Kathleen H. Howe, assistant professor; Irving Miller, instructor; Anita Pepper, research associate; M. Elizabeth Tennant, associate professor emeritus; Joan H. Vicinus, research assistant.

Institute of Far Eastern Languages: Kenneth D. Butler, assistant professor of Japanese; Charles J. Chu, instructor in Chinese; Hugh M. Stimson, assistant professor of Chinese.

School of Forestry: William E. Reifsnyder, associate professor.

Department of Geography: David E. Snyder, assistant professor.

Department of Geology: John H. Ostrom, assistant professor; John Rodgers, professor; A. L. Washburn, professor.

Department of History: Robert Anchor, instructor; Harry J. Benda, associate professor; Hans W. Galzke, professor; Eugene Levy, acting instructor; Robert S. Lopez, professor; Edmund S. Morgan, professor; Norman Pollack, assistant professor; Harry R. Rudin, professor; Robin W. Winks, associate professor; C. Vann Woodward, professor; Arthur F. Wright, professor.

Department of the History of Art: Kermit S. Champa, instructor; Kurt W. Forster, assistant professor; George Heard Hamilton, professor; Robert L. Herbert, associate professor; S. K. Kostof, assistant professor; Jules D. Prown, assistant professor; Vincent Scully, professor.

Department of Industrial Administration: Roger Harrison, assistant professor; Fred I. Steele, lecturer.

Law school: Layman E. Allen, associate professor; Joseph W. Bishop, Jr., professor; Boris I. Bittker, professor; Ralph S. Brown, Jr., professor; Marshall Cohen, senior fellow; Thomas I. Emerson, professor; Grant Gilmore, professor; Joseph Goldstein, professor; Pauli Murray, senior fellow; Louis H. Pollak, professor; Charles A. Reich, professor; Clyde W. Summers, professor; Harry H. Wellington, professor.

Department of linguistics: Sydney M. Lamb, associate professor; Rulon Wells, professor.

Department of mathematics: Joseph Auslander, research associate; Richard Beals, instructor; Frank Hahn, assistant professor; G. A. Hedlund, professor; R. Larsen, instructor; William S. Massey, professor; J. Peter May, instructor; Stephen Puckette, research fellow; Charles E. Rickart, professor; George B. Seligman, associate professor.

Medical school: Dr. Marie J. Browne, assistant professor of pediatrics; Harry Fein, research associate in physiology; Dr. Thomas F. Ferris, instructor in medicine; Dr. Lawrence R. Freedman, associate professor of medicine; Daniel L. Kline, associate professor of physiology; Dr. Paul H. Lavietes, associate clinical professor of medicine; Dr. N. Ronald Morris, assistant professor of pharmacology; Dr. Ellis A. Perlswig, clinical instructor, child study center; William H. Prusoff, associate professor of pharmacology; Julina P. Rhymes, research associate in pediatrics and nursing; Dr. Norman S. Talner, associate professor of pediatrics; George Wolf, postdoctoral fellow in anatomy.

Department of molecular biology and biophysics: Alan Garen, professor; Irwin Rubenstein, assistant professor; Robert C. Wilhelm, assistant professor.

School of music: Richmond Browne, assistant professor; Robert Conant, assistant professor.

Department of near eastern languages and literatures: Marijan Despalatovic, assistant in instruction of Serbo-Croatian; Marvin H. Pope, professor of northwestern Semitic languages.

School of nursing: Jean Barrett, professor; Vera Keane, research associate.

Department of philosophy: Richard J. Bernstein, associate professor; Norman S. Care, instructor; Frederic B. Fitch, professor; James Millikan, acting instructor; George A. Schrader, professor.

Department of physics: Earl E. Ensberg, research associate; Henry Margenau, professor; William W. Watson, professor.

Department of physiology: Dr. Louis H. Nahum, lecturer emeritus.

Department of political science: Robert E. Lane, professor.

Department of psychiatry: Dr. Jules V. Coleman, clinical professor; Alice R. Cornelison, research associate; Yasuko Filby, research fellow; Dr. Stephen Fleck, professor; Dr. Robert J. Lifton, associate professor; Roger K. McDonald, associate professor; Nea M. Morton, assistant professor; Dr. Albert J. Solnit, professor.

Department of psychology: Robert P. Abelson, professor; James B. Appel, assistant professor; Sidney J. Blatt, assistant professor; Claude E. Buxton, professor; Irvin L. Child, professor; Dorothy D. Ciarlo, research associate; Michael Cole, assistant professor; Edmund J. Fantino, assistant professor; D. H. Goldberg, lecturer; Michael Kahn, assistant professor; William Kessen, associate professor; Julius Laffal, associate clinical professor; Paul Schulze, clinical instructor; Alan P. Towbin, assistant clinical professor; Cynthia Wild, assistant professor.

Department of religious studies: Rev. Hans W. Frei, associate professor; Rev. James M. Gustafson, professor.

Department of romance languages: Victon H. Brombert, professor of French; Manuel Durán, professor of Spanish; Robert G. Mead, Jr., visiting lecturer in Spanish; Edgar Pauk, acting instructor in Italian; Henri Peyre, professor of French.

Department of Slavic languages and literatures: Richard F. Gustafson, assistant professor of Russian.

Department of sociology: Wendell Bell, professor; Robert M. Cook, assistant professor; Diana Crane, assistant professor; George A. Huaco, assistant professor; James A. Mau, assistant professor: Stephen W. Reed, associate professor.

Department of statistics: G. Yeo, research associate and lecturer.

Additions to the original list of subscribers:

Divinity school: Rev. Charles W. Forman.

Drama school: Edward C. Cole, associate professor.

Department of English: Edward J. Gordon, associate professor.

Department of epidemiology and public health; Jean Emmons, associate in research.

Department of History: Prosser Gifford, assistant professor; J. H. Hexter, professor; Staughton Lynd, assistant professor; D. A. Smith, acting instructor; M. W. Swanson, acting instructor.

Department of mathematics: Howard Garland, instructor.

Medical school: Dr. Elisha Atkins, associate professor of medicine; Dr. Jerome Grunt, associate professor of pediatrics; Dr. George F. Thornton, instructor in medicine.

Department of philosophy: Robert S. Brumbaugh, professor; David Carr, acting instructor; Charles W. Hendel, professor emeritus; T. K. Scott, Jr., assistant professor; Paul Weiss, professor.

Department of physics: Joseph E. Rothberg, instructor.

Department of psychiatry; Dr. Theodore Lidz.

Department of psychology: Barry E. Collins, assistant professor; Doris K. Collins, research associate; E. E. Krieckhaus, assistant professor.

Department of sociology; Roy C. Treadway, acting instructor.

[From the Christian Science Monitor, Apr. 21, 1965]

TRUE ASSESSMENT

To the CHRISTIAN SCIENCE MONITOR:

I was a junior officer of the 20th Indian Division (under the command of the late Gen. Sir Douglas D. Gracey) and arrived in Saigon from Burma in September 1945.

We were welcomed by the Annamites—placards from the airport to the town center (Rue Catinat) were marked "Welcome to the Allies, to the British and to the Americans—but we have no room for the French."

The government was being run efficiently by the Popular Front of Vietminh groups—to whom Emperor Bao Dai had abdicated in August 1945.

On September 23, the Free French (not Vichy French), without warning to anyone, seized all the public buildings such as the Palais de Justice, the post office, the power station, etc., and hoisted the French Tricolor.

There followed 10 days of negotiation between the British—who had only one Gurkha battalion of 20th Indian Division to support them (the rest of the division was traveling from Burma by sea)—under the command of Brigadier Taunton—and the Vietminh. No conclusion was reached, and the Vietminh groups withdrew, determined to fight for the freedom of French Indochina in accordance with the ideas of the Atlantic Charter, well known to them, also of General de Gaulle's Brazzaville speech of 1943 offering independence to French Indochina after the war.

General Gracey then took under his command the Japanese surrendered personnel (under Field Marshal Count Teramchi) in order to defend Saigon-Cholon from the Vietminh who attacked each night.

I personally had a Colonel Endo and Lieutenant Colonel Muarata report to me as the ammunition and transport officer of the 20th Indian Division each morning, and we sent lend-lease U.S. vehicles to redeploy the Japanese forces for the defense, and also issued more weapons to them (including 3-inch British mortars which had been captured in February 1942, in Singapore).

For 2 months (October and November, 1945) the Vietminh suffered severe casualties in constant attacks on these Japanese troops and the 20th Indian Division. Thus was a bridgehead secured for the arrival of General Leclerc and his Foreign Legion troops from Madagascar.

The present war stems directly from these events.

Personally I have no doubt that the legitimate government of Saigon in September 1945, was that of the Vietminh who had resisted the Japanese during the occupation—with the help of OSS supplies parachuted to them in 1943, 1944, and 1945.

This is a piece of missing history. I believe its public airing may help the American people make a correct decision about the future of their relations with Vietnam.

I am not a Communist, nor even a supporter of the British Labor Party, but a subscribing member of the Tory Party—yet I believe no true assessment of the situation is possible without the information I have outlined above.

ROBERT DENTON WILLIAMS.
ABINGTON, NORTHAMPTON, ENGLAND.

[From the St. Louis Post-Dispatch, Apr. 20, 1965]

INTERNATIONAL PRESSURES TO HALT BOMBING RAIDS IN NORTH VIETNAM CONTINUING TO INCREASE—IN THIS CONTEXT, CANADIAN MEETS THANT TODAY—FUTURE OF U.N. SAID TO BE LINKED TO ASIAN CRISIS

(By Donald Grant)

International pressures to halt bombing of North Vietnam as a condition for negotiations to end the war are increasing in the

United Nations. Most diplomats believe that the pressures will continue to increase.

The Canadian Minister of External Affairs, Paul Martin, is lunching with Secretary General U Thant today. Canadian policy is clear on the subject of bombing North Vietnam—and important, as Canada is a member of the three-nation international control commission for Vietnam. The other two are India and Poland.

Poland, a Communist country, follows a straight anti-American policy on the whole Vietnamese issue. Until recently, India tended to join with Canada in a more moderate position.

President Lyndon B. Johnson has become irritated—and let it be known that he was—with both Canada's and India's present positions. He has evidenced a similar irritation with Thant's attitude.

This is a part of the background of Canadian Minister of External Affairs Martin's visit with Thant today.

Lester B. Pearson, the Prime Minister of Canada, was active in U.N. affairs for many years. He was the choice of the United States for first Secretary General of the organization when it was founded 20 years ago.

The cause of President Johnson's irritation with Canadian policy was a speech given by Pearson in Philadelphia, April 2.

At that time Pearson suggested that a "supension in the airstrikes against North Vietnam, at the right time, might provide the Hanoi authorities with an opportunity, if they wish to take it, to inject some flexibility into their policy without appearing to do so as the direct result of military pressure."

Thant has refrained, so far, from making a direct appeal for a cease-fire to avoid further White House irritation. At his press conference last Thursday, however, Thant was asked how he would assess Pearson's efforts in behalf of peace in Vietnam. Thant replied that he had "high esteem" for Pearson, for his proposals already made and for those he might make in the future.

The same "high esteem" phrase was used by the Secretary General's spokesman to characterize Senator J. W. FULBRIGHT, Democrat, of Arkansas, yesterday, after FULBRIGHT's statement advocating a halt in American airstrikes against North Vietnam.

Thant, again, refrained from indorsing FULBRIGHT's suggestion, but his spokesman said that the Secretary General valued the Senator's "vision, wisdom, and approach to international problems."

Tomorrow, the United Nations Disarmament Commission will meet—including representatives of all 114 members of the world organization. The meeting will be only for the purpose of organizing the session, but when regular meetings begin, next Monday, the situation in Vietnam and the American bombings of North Vietnam are expected to be major subjects of debate.

Thursday, the 33-nation committee considering the problem of U.N. peacekeeping operations will hold an open meeting. Vietnam may or may not enter the discussion at this session, but most diplomats here see a close connection between the future of the U.N. and its inability, so far, to tackle the problem of ending the war in Vietnam. Among such diplomats is Canada's Minister of External Affairs.

"We are facing, at this moment," Martin said last week in Montreal, "one of the most serious crises we have faced since the end of the Second World War. It is not a crisis which has come upon us suddenly. As Canadians—as members of the international commission—we have watched that crisis build up in Vietnam over the past 10 years. It has now reached the point of open conflict.

"It has reached the point where that conflict, by the progression of stroke and counterstroke, could expand beyond the limits of control.

"In such a situation the interests of the international community are deeply engaged. We would be right to expect, therefore, that the international community would bring its influence to bear upon that situation. And the channel that comes to mind for doing that is, of course, the United Nations."

Martin expressed his regret that the U.N. had not been able to act. In another part of his speech he urged "universal membership" for the U.N.—a phrase meaning that all nations, including Communist China, should be members so the organization would be able to act in crises such as the present one.

The Canadian minister pointed out that "the good offices of the Secretary General have been available to the parties throughout this critical situation." He said that he was "hopeful that the Secretary General will be able to play an important part in carrying forward the imaginative and far-reaching proposals now under consideration for the cooperative development of the whole region of southeast Asia."

Martin's chief, Pearson, along with Paul Hoffman of the U.N., advanced the economic development plan later taken up by President Johnson. The U.N.—after peace is established—may play a large role in this plan. The Canadians, however, believe that the United Nations must be active in the political search for peace, as well as acting as an economic agent, if it is to maintain itself as a viable organization.

Unable to keep the peace, Martin pointed out, the League of Nations "foundered on the rock of collective security." Martin then asked: "Are we going to allow, can we afford to allow, the United Nations to share the fate of its predecessor?"

[From the Portland Oregonian, Apr. 25, 1965]

PROPAGANDA CLAIMS JUSTIFIED—ATROCITIES MAR VIETNAM WAR

(By Michael T. Malloy)

(As the war in Vietnam grows more brutal, charges of atrocities committed by each side increase. The Americans and the South Vietnamese claim that the Communist guerrillas have murdered thousands of minor officials since 1961. The Communists trump this by raising the figure to hundreds of thousands tortured and maimed by the Government. This dispatch looks beyond the propagandists' claims to the truth that in this war neither side's hands are entirely clean.)

SAIGON.—A squad of Vietcong sneaks silently into a sleeping village. Wearing sandals cut from rubber tires, they pad silently to the house of the village chief, who is loyal to the Government in Saigon.

They pull the chief from his bed, wake up the villagers and assemble them in the public square. They pick out one or two more men who are known to have informed the Government of their movements.

Then they cut the throats of the men they have chosen.

The villagers who watch will be less eager to talk next time Government troops come looking for information about the whereabouts of the Communists.

This is an atrocity of war. So is this:

RED CAPTIVE TORTURED

A Vietnamese Ranger captain squats on the chest of a Vietcong captive and pours water from a rusty tin mug into a towel wrapped around his victim's face.

The Vietcong struggles and gags as the cloth becomes so soaked that only water rushes into his nose and mouth when he gasps for air.

A sergeant slams his heavy combat boot into the prisoner's side. Two enlisted men holding the guerrilla's ankles and legs begin twisting them.

The captain dips his mug into a rusty bucket and ladles out more water. This is an "interrogation" on the battlefield, Vietnamese style.

Late one night in February the Vietcong overrun a district headquarters 70 miles northeast of Saigon.

They lead four American soldiers into nearby jungles.

The Americans are bound. Then begins a systematic beating. Blows rain on the Americans' heads, stomachs, kidneys, legs.

After a time the Americans are shot. Their bodies are left to rot in the jungle. A few days later they are found.

This is an interrogation on the battlefield, Vietcong style.

Chalk up one more atrocity for each side.

WAR TOUGH BUSINESS

War is a rough and tough business. The war for control of the rice-rich plains of South Vietnam is getting to be just as ugly as any that has ever been fought.

When opposing groups of men contest a piece of land with guns, planes, bombs, napalm, mortars, and artillery, elements of terror are bound to play a role in the conflict.

Who is committing these atrocities? This is war.

Vietnamese Armed Forces Regulation 609–TT–20 says:

"No torture of any kind is allowed to be performed with the prisoners in order to get information from them."

But a wiry little Vietnamese lieutenant with a chestful of combat ribbons says:

"The Government sometimes looks in the other direction."

It looked in the other direction a few months ago when infantrymen of the 21st Division pulled six Vietcong soldiers out of a foxhole and handed them over to the battalion commander.

Bullets were still whizzing overhead. The battalion was trying to regroup for an attack. The commander handed them over to a middle-aged sergeant with a nod of the head.

The sergeant marched them to a small canal and shot them all.

The Government was looking away last month when a Vietnamese Marine Corps lieutenant looped a pink towel around a prisoner's neck and ordered two husky marines to play tug-of-war with the towel.

It was looking away when a ranger unit operating in mountain country north of Saigon a few weeks ago found three wounded Vietcong in a bamboo grove after a fierce battle and shot them all simply to avoid the labor of carrying them back to base.

This sort of murder in the field reflects the grim economics of war.

The battalion commander could have saved his six prisoners. It would have cost him three or four men to do it, though, because they would have had to be guarded.

The beating of prisoners is ignored and sometimes condoned by the American advisers who accompany the Vietnamese into battle.

"If I had to choose between beating up a guy or being killed by his buddies, I'd take torture every time," said an American Army sergeant riding with this correspondent on a helicopter assault into the central highlands a few months back.

BRUTAL BEATINGS PRACTICAL

The object of beating a prisoner is to get desperately needed information.

The prisoner who gagged and struggled under the ranger captain's water torture was a Vietcong regular. His age and his full kit of equipment, indicated he might be a senior officer.

The captain who squatted on his chest wanted desperately to know whether he was about to be attacked by the hundreds of Vietcong who had quite obviously just left the thatch and bamboo training camp where the prisoner was seized.

A man's brutality depends on his emotions. If his life is in danger, if he has just seen a friend shot down by the man he is about

to question, he is less likely to be kind to his prisoner.

A Vietnamese paratrooper with 12 years of combat experience says:

"It depends on the battle. If the paratroopers go on an operation and none of them gets hurt, then the prisoners are lucky.

"If one of the paratroopers gets killed, then nobody can guarantee the lives of those prisoners."

The Vietcong, it is often said here, practice unspeakable savagery in order to retain, through terror, the cooperation of villagers.

The Americans say more than 20,000 village chiefs have been killed since 1961.

They tell of guerrillas impressing hundreds of peasants for coolie labor to help them move supplies and of hundreds more to fight in their battles.

The Vietcong have even begun attacking American civilians here perhaps as a way to terrorize the Americans themselves. They have blown up a ball park, a movie theater and the American Embassy in the past year and a half. They have captured at least two civilian aid officials and three missionaries.

One aid official was shot when he refused to return to Vietcong captivity after having escaped once and been caught.

But it seems evident that if the Communists have learned savagery, it has been at least partly a lesson from the Vietnamese Government itself.

DIEM REGIME HARD

There was, of course, the 9-year reign of Ngo Dinh Diem, who shipped thousands of political opponents to Poulo Condore, a tropical prison island off the coast, who raided Buddhist pagodas, who ordered his troops to fire on Buddhist mobs, who packed up thousands of peasants bag and baggage and moved them into strategic hamlets that were little better than prison camps.

But even after Diem was ousted and assassinated in November 1963, the Government continued to be, perhaps, somewhat less than humane.

The case of Le Dua, a terrorist who was caught this month in a Da Nang hotel used as an American billet with 5 pounds of plastique crammed in a transistor radio case is only the most recent example.

Le Dua's trial was postponed for several days running, while he "sang like a canary" as one of the U.S. officials put it. When he finally did show up, he was sporting a thoroughly blackened eye that twitched in its socket periodically. And he was still groggy from the effects of sodium pentathol truth serum.

Yet there remain signs of hope. The Vietnamese are anything but a barbarous people at heart. When the last bullet has been spent and the last knife sheathed, their good nature bubbles back to the surface like a jet of clear water in a muddy pool.

POINT RICHMOND, CALIF.,
April 26, 1965.

Senator WAYNE MORSE,
Washington, D.C.:

We fully support your stand on our country's course of action on South Vietnam.

DANIEL BREWER.

ENCINITAS, CALIF.,
April 25, 1965.

Senator WAYNE MORSE,
Washington, D.C.:

Never regret what you are doing. No monuments perhaps but love from us all.

ELIZABETH B. NEWTON.

PORTLAND, OREG.,
April 24, 1965.

Senator WAYNE MORSE,
Washington, D.C.:

Warmest congratulations and thanks for urging peaceful settlement and denouncing odious and senseless war.

J. F. DELORD.

SUDBURY, MASS.,
April 24, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

We strongly support your stand regarding U.S. activities in Vietnam.

ELIZABETH and WILLIAM WARREN.

LOS ANGELES, CALIF.,
April 25, 1965.

Senator WAYNE MORSE,
Washington, D.C.:

Heard your speech on Vietnam. Agree with you 100 percent. Keep American people informed.

Mrs. SYLVIA WARNER.

THE JOHNS HOPKINS HOSPITAL,
Baltimore, Md., March 10, 1965.

Hon. WAYNE MORSE,
U.S. Senator, the Senate,
Washington, D.C.

DEAR SENATOR MORSE: I support you in your stand on Vietnam. I have supported you as long ago as 1962, which year was spent as an American adviser in Saigon. Last year, when you dissented from the carte-blanche approval of the President's actions in Asia, I was in sympathy with you. Having left the Navy in December, I now feel free to openly declare my thoughts.

Three years ago, the assistance to Vietnam had certain clandestine overtones, designed to conceal our efforts from the ICC and vocal critics such as yourself. The ability of the military to thus act outside the interests and intent of the people was partially instrumental in my decision to resign. Casualty figures and troop numbers were handled with utmost care to avoid frightening the public, until the election campaign pointed to the need for popular support. It seems that, knowing American respect for our boys, the administration found it convenient to dwell on the hardships and casualties. The course of policy has changed from concealment to involvement as public emotion is mustered to quell critics. In this atmosphere of growing hysteria, it seems especially important to congratulate you on your courage.

Although the Constitution reserves for Congress the privilege of declaring war, historically Executive action followed by public indignation have lead Congress to the point where no alternative was open to it short of war. Now, before we replace "Jerry" and "Jap" in our vocabulary of hate with "VC" and "Chink," it is important that reasonable opposition be heard. If the American mind is molded to a just war in Asia and Cuba, then the U.N. and world peace become concepts for another generation to define.

Although I am no longer a constituent since I left the Navy, I will continue to regard you as my Senator so long as you continue to speak from your conscience. Today you may be called a character of a man, but it is of no importance if in the long run you are remembered as a man of character.

Very truly,

MELVIN E. GOVIG,
Director, Medical Record Services.

GREATER PORTLAND
COUNCIL OF CHURCHES,
Portland, Oreg., April 12, 1965.

THE PRESIDENT,
The White House,
Washington, D.C.

MR. PRESIDENT: The burden of decision regarding Vietnam which you must shoulder is grievous and we would not add to it. We, the board of directors of the Greater Portland Council of Churches, wish to aid and support you.

We support you fully in your statement of April 7 concerning your desire to follow the way of unconditional negotiation. We are pleased that you have stated forthrightly your ultimate goal of just peace through negotiation for the Vietnam conflict. Your offer of $1 billion in aid to eradicate hunger in southeast Asia, to be channeled through the United Nations, is heartening.

On the other hand, for some time we have been perturbed by the escalation of the war in Vietnam for fear it might advance beyond the point of no return. As a Christian body, we have deplored the increasing loss of life, the use of napalm bombs and gas—even though of a nonlethal action—which awaken horror in all parts of the world, and even in our allies.

May God in His graciousness guide you as you lead our Nation to a peaceful negotiation of the Vietnam conflict.

Sincerely,

WILLIAM B. CATE,
Executive Secretary.
PAUL S. WRIGHT,
President.

THE CLEVELAND PRESS,
Cleveland, Ohio, April 22, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: This is not the first time I have written to you in grateful appreciation for your valiant fights for seemingly unpopular causes. I earnestly hope you will not only continue, but redouble your attempts to awaken the public conscience regarding our reprehensible policy in Vietnam.

I am a lifelong independent Democrat who has lived through two world wars, and I have been a daily newspaper writer for 40 years. Yet now, reluctantly, I have come to the conclusion that the warhawks have their talons imbedded in President Johnson so deeply that it will require a superhuman effort to persuade him his policies are leading straight to a tremendous bloodletting—probably followed by nuclear annihilation for millions.

The point we must strive to bring home to our people is one on which you have been hammering—that we have grossly violated the 1954 Geneva treaty terms by shipping troops, arms, and munitions into South Vietnam. Also, that we have without apparent shame been as responsible as anyone for the fact that the Diem goverment never held the 1956 elections called for by the 1954 agreements.

As usual, truth is the first casualty in wartime. The propaganda emanating from Washington is conditioning our people to stand for a war which we had no business entering in the first place.

Our people are told we are in a fight to guarantee the freedom of others. What freedoms? Since the Vietnamese never have been permitted to elect their own governments, how can our country have the crass effrontery to say we are shedding our blood (and spending mounting millions of dollars) for freedom? The poor rice farmer of Vietnam can have no illusions about this situation, or there wouldn't be so many of them who apparently are Vietnamese in the daytime and Vietcong after dark.

That, incidentally, is the exact remark I heard a wounded GI make on TV when he was shipped home—until an officer quickly stepped in and shut him up.

I am among the millions of Americans who are simply crushed by the obvious fact that we really didn't have a choice at the last national elections. We couldn't vote for Goldwater for many reasons, particularly because he was obviously a irresponsible warhawk.

But now look. The man we felt offered us a decent alternative has apparently turned his back on reason. I can never again vote to Lyndon Baines Johnson. The fight for civil rights and the war on poverty are wonderful goals. But what good will it have done for us to achieve them if the world is shortly to be left in ashes?

For the love of heaven, Senator, redouble your efforts. You will have the blessing of history if we can overcome the impending disaster.

Sincerely,

JACK CLOWSER,
Sports Department.

THE GREATER PORTLAND
COUNCIL OF CHURCHES,
Portland, Oreg., April 14, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: We have attached a copy of the letter which we sent on April 12 to the President of the United States regarding the situation in Vietnam.

Sincerely,

WILLIAM B. CATE,
Executive Secretary.

INDIANAPOLIS, IND.,
April 19, 1965.

DEAR SENATOR MORSE: I support the growing numbers of Senators calling for a peaceful solution to end the war in Vietnam. You speak for me when you say "* * * a continuation of the State Department's policy in South Vietnam is certain to lead to a massive war in Asia * * *." We can only do so very little to prevent this but we need to do all that we can and we do admire you for your courage to stand in this day when so many will attempt to do so. Thank you again and take courage. Our thoughts are with you, hoping we have not as yet reached the "point of no return."

Mrs. LORETTA CORDELL.

HEIFER PROJECT, INC.,
Goshen, Ind., April 21, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: The developments in Vietnam and elsewhere the past few weeks reminds me of the coming of World War I and World War II. I wonder how it looks to you? Because I am sure that I do not have enough of the truth about the situation, I do not want to draw conclusions unduly; but I am confident that the movement of our present foreign policy is heading toward world war III. I want to see it stopped and I know you do too. How to get it done is my big question.

It looks as though the "military-industrial complex" of which President Eisenhower warned has been having a real field day. I was surprised a few months ago to read in our local paper, the "Elkhart Truth" (a fairly conservative paper), the story about the "Missile Gap of Sixties, A Myth of History" by Everett S. Allen. Here was given—about 5 years too late—the story of how the American people were fooled into accepting a $17 billion increase of our missiles. I wonder if a similar deal is being worked out behind the scenes again. Can you find out the truth for me?

Not at all cynical about the present administration (at least yet) I think they are taking the whole world in the direction of destruction. I believe President Johnson honestly means to offer all of this help to southeast Asia after the hostilities cease. but I doubt that many people over there will believe it. And if this is allowed to escalate into a major war the human race is probably doomed. This is what Dr. Otto Hahn told me in his office in Gottingen, Germany, in 1959, "Any major war will be a nuclear war and a nuclear war is likely to destroy all of mankind."

It seems to me a little handful of you Senators there at Washington might be able to work together and turn the tide. It seems to me of critical importance.

If I can do anything out here at grassroots please let me know.

Cordially,

DAN WEST.

P.S.—Can you do anything to help the U.N. meeting on disarmament now? I should hate to see that fail.

WICHITA, KANS.,
April 21, 1965.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR: According to our Constitution only Congress has the power to declare war. However, the President, as Commander in Chief of the Armed Forces, can involve us in undeclared war not necessarily approved by the American people. It is time an amendment be made to the Constitution which will protect the people from the trigger-happy politicians.

Sincerely,

DON BLAINE.

LA CROSSE, WIS.,
April 19, 1965.

Hon. WAYNE MORSE,
Hon. ERNEST GRUENING,
U.S. Senators from Oregon and Alaska,
Washington, D.C.

DEAR SENATOR MORSE AND SENATOR GRUENING: I am writing to say that I agree completely with your stand on Vietnam. I am only 15 years old and can't do much but I read with interest what you have said. In our classroom at school, I am the only one that agrees completely with your stand. I don't know if this is due to the fact that this area is heavily Republican, but I am surprised at anyone advocating war. We should have learned in Korea. You don't know what the Red Chinese will do if they do have the atomic bomb now. I am a Democrat and worked with Young Democrats last year to help elect President Johnson and other candidates. However, I don't like his Vietnam policy. I hope the President will press for negotiation and you will continue your stand on South Vietnam. I am also interested in going into politics some day. Do you have any information on a career in politics? I would appreciate any information you might have.

Sincerely yours,

CHRISTOPHER KUECHMANN.

CAMBRIDGE, MASS.,
April 22, 1965.

Senator WAYNE MORSE,
U.S. Senate, Washington, D.C.:

In your stand on the Vietnamese situation you speak for other citizens of United States like myself.

ANNETTE SILBERT.

NORTHVILLE, MICH.,
April 20, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

DEAR SENATOR MORSE: I am with you in all your efforts to stop the Vietnam war. It seems incredible that our country could be pushing such an outmoded, vicious, and dangerous military effort. I hope Senator FULBRIGHT's suggestion of a temporary lull will be pushed in Congress and gain the ear of the President. Many thanks, and please keep up the fight for peace.

Respectfully,

ALICE M. WOODRUFF.

THE SMALL ANIMAL CLINIC,
Cleveland, Ohio, April 20, 1965.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: Please continue to speak out against the bombing of North Vietnam—the local newspapers rarely carry your comments except to criticize them.

Is there any way of being placed on your mailing list to obtain the full text of your statements?

Yours for a saner world.

Sincerely,

Mrs. D. A. RICKARDS.

MINNEAPOLIS, MINN.,
April 19, 1965.

Senator W. MORSE,
U.S. Senate.

DEAR SIR: You have many people behind you. Please keep informing the U.S. people about the truth in Vietnam. As you said, we must deal with the rebels in South Vietnam before we can have peace. It is a civil war and we must deal with that reality first.

Congratulations and keep it up.

Sincerely,

Mrs. A. W. WALKER.

ALEXANDRIA, VA.

Senator MORSE,
United States of America,
Washington, D.C.

DEAR SENATOR: I thank you from the bottom of my heart for speaking out and warning the American people about the war in Vietnam. If only there were more Senators like you.

Sincerely,

JANET M. HANNAN.

RICHMOND, VA.,
April 20, 1965.

Hon. WAYNE MORSE,
U.S. Senator,
Washington, D.C.

MY DEAR SENATOR MORSE: As one of your long-time admirers, I must take pen in hand and urge you to step up your well known opinions by more and more public expressions.

It is not that you have been correct from the first, but that the entrance of North Vietnam openly in the conflict will also bring in Red China. Then we will be at war. That is exactly what you were saying long ago.

My background has been on all other matters a strong supporter of the Johnson and Kennedy administrations. I say this to show I am deeply sincere in my support of you and your position.

Now is the time, Senator Morse, for a demonstration of genuine statesmanship and you possess all the prerequisites so rarely found in one person: character, integrity, intelligence, oratorical ability, and knowledge.

Seriously you must step out and keep the story in front of the American people before it is too late.

Sincerely,

LEONARD HIZER.

NASHVILLE, TENN.,
April 19, 1965.

DEAR SENATOR MORSE: I am a Christian laywoman and I am very concerned about the situation in Vietnam. I am aware of your opposition to administration policies. I would like to express my approval and let you know that I am behind you. The only answer to the problems of the world is the love of Christ for all men. We need more people who will at least try to put that love into action both in private and public life. May you find strength from God to continue your stand.

Sincerely,

Mrs. DAVID KRAFT.

NEW YORK, N.Y.,
April 21, 1965.

DEAR SENATOR MORSE: I agree with your views on Vietnam. I only wish there would exist less aggressive men in our executive branch. Please continue your fight against hypocrisy and war.

JOHN PAGGIOLI.

CHICAGO, ILL.,
April 19, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR MR. SENATOR: This is to belatedly thank you for the frank exposition of your views while we were riding in from the airport for you to make your address to the Warsaw ghetto memorial meeting. I must confess I was considerably shaken by your feeling that the movement is toward attack on Chinese bases, leading inevitably to general war. The average citizen, as you can well imagine, faces nothing but frustration when up against the alternatives of doing nothing, marching in peace parades, or writing letters to his representatives, the latter bringing canned replies with which, in my case, you must be well familiar. Despite this, I have again written as per the attached, to Senators DOUGLAS and DIRKSEN. Is there anything to be gained from such efforts? Do you recommend any more meaningful action?

Sincerely yours,

PHILIP BRAIL.

APRIL 19, 1965.

Senator EVERETT DIRKSEN,
U.S. Senate,
Washington, D.C.

DEAR MR. SENATOR: I have written you on previous occasions voicing opposition to U.S. conduct of affairs in Vietnam. I have carefully read your replies, and some of your speeches in the Senate, and am mindful of the fact that there is too wide a divergence of opinion to be narrowed by the enforced limitations of a letter. Let me say only that my opinions developed only after wide reading on the French Indochina background, the 1954 agreement, and subsequent developments, as well as constant reading of American news reports, supplemented by English and French, which are much more complete. Such reading just doesn't confirm the fixed American position that the struggle is an invasion from the north, which Hanoi could turn off at will, even if it so willed.

Be that as it may, and recognizing that no exposition by me is likely to temper your views toward those of your Senate colleagues MORSE, GRUENING, and others, may I make this suggestion which seems possible of acceptance by both sides. A Geneva conference on Cambodia could assemble all the countries concerned with Vietnam, and permit informal exchanges. This could provide a way to get around the hurdles of "face" and preconditions. While the conference would formally deal with Cambodia, both sides could put out feelers for a Vietnam settlement.

Reports in the New York Times and the St. Louis Post Dispatch, and recent books by Pulitzer Prize winners Browne (AP) and Halberstrom (New York Times) makes it clear that in South Vietnam, we have a most unstable and unpopular ally, that any hope of a clear-cut victory by us for them is hopeless, and that our losses are much greater than publicized. Peace is to the mutual interest of all parties including us, and its pursuit is therefore your obligation as well as mine. The President certainly seems to want it. Wouldn't a Cambodian conference open the way?

Sincerely yours,

PHILIP BRAIL.

AMERICAN BAPTIST CAMPUS
MINISTRY IN NORTHERN CALIFORNIA,
Berkeley, Calif., March 30, 1965.

President LYNDON B. JOHNSON.

DEAR MR. PRESIDENT: During this month a number of us have engaged in fasting, each for 48 hours, as—(1) in repentance for our share, unwilling though it is, in the brutal, barbarous, illegal, and immoral war in Vietnam; and (2) as a deep expression of our concern that negotiation and economic and social aid may take the place of military escalation there.

Sincerely yours,

GEORGE L. COLLINS.

BRUNSWICK, MAINE,
April 21, 1965.

Hon. WAYNE MORSE,
U.S. Senate.

DEAR SENATOR MORSE: Although I am not one of your constituents, I want to thank you for speaking out about our present folly in Vietnam. Why are so few people in Washington criticizing this continuing insanity?

I feel sure that a major reason why States such as Maine turned down Goldwater so heartily was the fear that he might do in Vietnam just what the present administration is doing.

As Norman Thomas said on Monday evening in Brunswick, "Goldwater being dead yet speaketh."

More power to you.

Yours sincerely,

CECIL T. HOLMES.

UNIVERSITY OF MINNESOTA,
MINNEAPOLIS, MINN.,
April 21, 1965.

SENATOR WAYNE MORSE: We write to express our approval of your deep questions and objections to the administration's foreign "policy" in Vietnam. We agree that the trouble there is one of a civil war nature; that we have violated the Geneva accords of 1954; that the administration has given no good reasons for our present bombings in North Vietnamese territory. We especially wish to praise you for your Johns Hopkins address.

Sorry that this is so short. We have just written more lengthy letters (but not of praise) to the President and to several Senators, urging the latter to join your stand.

WM. G. BOARDMAN,
ROBERT BAKER,
Instructors.

PIERMONT, N.Y.,
April 21, 1965.

Hon. WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: Though not a constituent of yours, I want to express my thanks and admiration to you for your consistent and courageous stand on Vietnam. I only wish more Senators and others in the Government had your insight and courage.

More power to you, and good luck.

Sincerely yours,

WILLIAM W. STAFFORD.

WOODBURY, CONN.,
April 21, 1965.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: How glad we are, how thankful to have at least a few of you who are holding firm in your opposition to the war in South Vietnam.

This is just to send a word of encouragement as you make your stand these days. I hope somehow you will be able to persuade some of the other Congressmen of the folly of our involvement in this Vietnamese civil war.

Respectfully yours,

EBEN T. CHAPMAN.

URBANA, ILL.,
April 20, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Your career in the Senate has been one that I have admired for what must be close to 20 years by now.

But at no time have your courage, diligence, and honesty been more apparent than in your struggle to speak the truth about Vietnam.

If we manage somehow to pull out of this morass I am sure that the Nation will be in your debt.

Thank you for being a good Senator.

Sincerely,

GENE GILMORE.

BOSTON, MASS.,
April 20, 1965.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: You may wonder, as the escalation grows of our attack against North Vietnam and our commitment to a military "solution" increases, if your effort is worthwhile. I hope that you will take strength from the knowledge that thousands of Americans depend upon the lone stand of you and Senator GRUENING as the voices of realism in our confused political scene. May you find the patience and fortitude necessary to discover means of convincing adequate numbers of your colleagues in the Senate to a real desire for a solution to the dangerous conflict in southeast Asia.

Yours sincerely,

ALICK BARTHOLOMEW.

ATHENS, OHIO.
April 21, 1965.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Stand firm, stand firm, and stand firm.

There are many of us who are appalled and ashamed at what the United States is doing in Vietnam. You are right, we do not belong there with our bombs and gas. Make a speech on the Senate floor every day to keep us all from becoming lulled into acceptance of the situation.

We enjoyed your speech at Ohio University.

Sincerely yours,

MARJORIE S. STONE.

ST. LOUIS, MO.,
April 21, 1965.

DEAR SENATOR MORSE: I want you to know that I fully support your stand against extending the Vietnam war, and I hope you will continue to state your views.

Thank you also for the letter which you sent to the St. Louis Rally for Peace in Vietnam on April 21, 1965.

Support for your position is growing, but there is an incredible amount of misinformation circulated by the news media in regard to the war going on in Vietnam. Also, there is a general feeling that the Government possesses secret information which is not at the ordinary citizen's disposal and without which he cannot formulate an opinion.

Your words do much to dispell a general feeling of irresponsibility on the part of the public.

Thank you,

Sincerely,

MIRIAM R. KAY.

AUSTIN, TEX.,
April 19, 1965.

DEAR SENATOR MORSE: We want to thank you for your continuing courage and honesty about our policy in Vietnam. If only there were more like you in the Congress.

Sincerely,

Mr. and Mrs. ROBERT ESTES.

GREENWICH, CONN.,
April 22, 1965.

DEAR SENATOR MORSE: Just a note to express my admiration for your candor—and stamina—on the question of Vietnam.

We say we are fighting for freedom in that unhappy land.

Yet, for the last 9 years, we have opposed free elections to reunify both Vietnams.

And hardly any of our free world allies warmly support our military adventures there.

It's argued that if we pulled out now and permitted honest elections under U.N. auspices, we'd lose face. Actually, however, our prestige falls with every napalm bomb.

You're a brave man to stand up to the "hawks" and speak the truth.

Sincerely yours,

JOHN PAMPEL.

MINNEAPOLIS, MINN.,
April 23, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: For the past several weeks I have discussed with many of the customers I call on in Minnesota, North and South Dakota, and Iowa in my work as a steel salesman for the Jones & Laughlin Steel Corp. our Nation's role in South Vietnam. I have been somewhat surprised at their opinion, for almost to a man they have all expressed their complete rejection of our role in this troubled area. Few can find any reason for our being there and most feel that the conflict may escalate into a general nuclear war.

I must say that I tend to agree with their reaction and want to urge you to continue to use your good offices to see what can be done to reduce our aggressive actions in Asia and bring reason to bear on this needless and dangerous conflict.

You and Senator GRUENING seem to be the only ones with enough good sense and courage to speak up in this crucial hour. We salute you.

Yours for the democratic way of life,

Mr. and Mrs. ROBERT W. MCCOY.

ARLINGTON, VA.,
April 23, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Though I am not a constituent of yours, please count me as a supporter in your forthright campaign to pound some sense into our makers of foreign policy in regard to the dangerous and stupid situation in Vietnam.

How can we hope for peace while dropping napalm on civilians? Say we seek conferences on ending the war while we spread it northward? Ask for a lessening of tension when we pour more men, weapons, and planes into the Vietnam civil war?

We sleep better knowing that you and your like-minded associates are keeping an eye on the war hawks in the Department of State and the Pentagon.

Sincerely,

TRAVIS K. HEDRICK.

MIAMI, FLA.,
April 22, 1965.

EDITOR THE HERALD: In recent months we have witnessed in our country almost every conceivable sort of protest, both violent and nonviolent, against our war policy in Vietnam. They have ranged in violence up to the maximum protest of self-immolation by fire, and in size to the great 20,000-person April 17 march on Washington, and to literally millions of letters written to the President, to Congressmen, and to the editors of our daily newspapers.

Despite this magnitude, and depth, and force of protest, our administration sees fit to further escalate this ugly war. What then is to happen now? When people feel so strongly about this issue that they are willing to burn themselves alive in protest, will they simply fold their tents and steal away into the night when their protests are ignored? I do not believe so, especially since there is the lingering, burning, shameful, and comparatively recent example of apathy the German people showed toward the inhumanities perpetrated by the Nazi government under Hitler.

It is my considered opinion that if we persist further on our present course in Vietnam, that we can expect violence of a substantial nature to manifest itself in our country by our own people. I believe this violence will be directed at first against the production facilities, transportation, and communications facilities, military establishments, utilities, and our national shrines. Beyond this I do not even like to think.

Is it worth this much to prove our virility? Or, can it be that when proving it becomes so important to us, that perhaps it is because we have already lost it?

REYNOLDS MOODY.

DAVIS, CALIF., *April 20, 1965.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I want you to know that I am very grateful for the reasonable and courageous stand you have taken with respect to our country's military actions in Vietnam.

I hope you will recognize that there are a significant number of people in the United States who do support you. I hope you will not be tempted to compromise your stand.

May God guide and comfort you.

Yours sincerely,

ANDREW C. MILLS.

MEDIMONT, IDAHO, *April 20, 1965.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: Would like to commend you for your stand on the Vietnam war. The majority of people I have talked with about this agree with me but doubt if 95 percent of them would take the trouble to write. So I could safely say that the greater number of the common people condemn President Johnson's and McNamara's war.

Am aware that you may be very busy and if you do not answer all your mail it's okay.

Very truly yours,

E. H. HANSON.

STATEN ISLAND, N.Y.,
April 23, 1965.

DEAR SENATOR MORSE: May I congratulate—and thank—you with all my heart for your opposition to this Vietnam madness? It seems that nobody outside Washington, either in the United States or the rest of the world, approves of our present actions there. The administration seems to have sold out to the Army brass, who are always stupid. Also, they love war and don't mind in the least how much of other people's blood (or money) they spend.

Do please stick to your guns.

Your sincerely,

R. CROWLEY.

MERCER ISLAND, WASH.

DEAR SENATOR MORSE: Hitler, Mussolini, and Stalin insisted on unanimity—that is "yes men." It is heartening to learn that there's a few brave representatives left to indicate an alternative course to the present one which history will indict President Johnson as the cat's paw for reaction.

Respectfully yours,

HOMER HENDERICKSON.

P.S.—Is it too late for a democratic solution such as indicated by the Geneva Convention of 1954—a commitment we ignored and which we are trying to cover with bombs.

GAINESVILLE, FLA.,
April 23, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I was shocked to read today of the possibility that 100,000 U.S. troops will be committed to South Vietnam. If Evans and Novak are to be believed U.S. Senators have already been briefed on this decision. I can only consider such an action to be one of unprecedented body. In general the U.S. policy toward Vietnam has been distinguished only by its lack of moral basis and intellect. I can only hope that Senator FULBRIGHT's proposal for temporary cessation of bombing will be adopted and a serious attempt made to negotiate.

Respectfully yours,

E. S. MATALKA.

DEAR SENATOR MORSE: I would like to endorse Mr. Matalka's views in this matter and to add that it is with considerable relief that at long last you seem to be opposing the apparent escalation of the southeast Asian crises. Please continue to take the stand that the Nation has come to expect of you in these matters.

Sincerely,

W. E. BOBLITT.

I am in complete agreement with Mr. Matalka in this matter.

MARK W. OTTEN.
EDWIN E. BURKETT.

BERKELEY, CALIF.,
April 21, 1965.

DEAR SENATOR MORSE: Through your continuing exposure of administration claptrap, hypocrisy, and dishonesty about Vietnam you are performing a great service to world civilization and humanity itself. Your honesty and courage has certainly inspired many Americans, has been a very crucial factor, I think, in creating what is beginning to look like a real mass movement of protest in the United States against actions of our Government that are both stupid and hideous.

HAROLD B. JAMISON.

ABERDEEN, WASH.,
April 21, 1965.

President LYNDON B. JOHNSON,
White House,
Washington, D.C.

DEAR MR. PRESIDENT: Our war in Vietnam is doing more to bring on socialism in this country than anything since the depression. People in every group you get into are discussing the right and wrong of our military policy in Asia. I only know of one man in this town who is willing to defend what is being done, and he is connected with the John Birch Society. Even he has to admit, in the final analysis, that he thinks what we are doing is politically expedient rather than right.

At a basketball game the other night when we stood for flag salute, not over a dozen people stood at attention and only a few made a feeble attempt to salute or to even look at our flag. Parents and students alike seemed depressed.

It is somewhat more difficult to brainwash people now than it used to be; folks know that we have an interest in tin, tungsten and oil in southeast Asia. They also know that the foreign press tells us things that are later admitted by our Government when convenient. In fact, people feel that they voted against what we are doing in Asia last November. Many will never vote again for anyone. They feel that it is of no use.

Is it true that we have had a military coup in the United States of America and that you do not dare try to control the military? Many people seem to think so. If this is true, would it not be better to let us, the people, know so we could help and try to do what is right and to protect you?

Sincerely,

MAXINE ACKER.

Copy to HENRY M. JACKSON WAYNE MORSE, Senator GRUENING.

JOHNSTOWN, PA.,
April 22, 1965.

Senator WAYNE MORSE,
Washington, D.C.

MY DEAR SENATOR: It's too bad that we cannot have a majority in the Senate of men with your good sense in international affairs.

Let's get the hell out of Vietnam.

Best of wishes to you, and keep after the nit-wits.

ARTHUR JOHNSTON.

PHILADELPHIA, PA.,
April 23, 1965.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: We thank you deeply for your struggle in behalf of the honor of our country and the rights and welfare of people, everywhere.

Gratefully yours,

ARTHUR and HELEN BERTHOLF.

SUNNYVALE, CALIF.,
April 22, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Enclosed is a copy of a letter that I have sent to President Johnson regarding our current southeast Asia policy.

I realize that you have already spoken out against the present expansion of the war in Vietnam, however, please attempt to further seek methods of enticing our Government to adopt a responsible approach to world leadership.

My own recommended approach to the problem in Vietnam has been described in an earlier communication, however, almost any form of resolution is preferable to our present blind, obstinate, dictatorial and potentially disastrous policy.

Sincerely,

BYRON F. MISCHE.

SUNNYVALE, CALIF.,
April 21, 1695.

The PRESIDENT,
The White House,
Washington, D.C.

SIR: Please consider the adoption of a policy encompassing reason, honor and compassion in Vietnam.

I do not favor withdrawal, or even negotiation necessarily, however, our present premeditated attacks upon the northern portion of the country are no less a criminal act than those of the Viet Cong terrorists. Indeed they are perhaps of a greater degree of viciousness due to our overwhelmingly superior power.

Because of the arbitrary approach of the United States to the solution of an international problem, I have all but lost faith in the intents and purposes of this country in the modern world. For the first time in my life I am actually ashamed of my National Government.

Please, sir, direct our strength and resources into a course of action which will bring honor, respect, and the gratitude of all people who are presently innocent victims of our capacity for death and destruction.

Sincerely,

BYRON F. MISCHE.

Copy to Senator THOMAS H. KUCHEL, Senator GEORGE MURPHY, Representative CHARLES S. GUBSER, Senator WAYNE MORSE, and Senator ERNEST GRUENING.

APRIL 19, 1965.

EDITOR,
San Francisco Call-Bulletin,
San Francisco, Calif.

DEAR SIR: There are many things that are disturbing to me about what is happening in Vietnam. Almost each day brings some incident that is either shocking, or else leaves me with the dim feeling that would have been considered shocking in some earlier, more innocent, time.

But to me the most striking point of all is that we claim to be acting there, not for reasons of narrow self interest, but out of moral considerations. The President has spoken eloquently to the point that we want nothing for ourselves in southeast Asia, that we are there only because of commitment to our friends, that we want only that they be allowed to choose their own government without outside interference.

What can he mean by this? Who are the friends he refers to? Are they the people of South Vietnam? Or are they the members of the sequence of more or less unsavory regimes which we have instituted and supported and which have been unable to obtain the confidence of the majority of the people of South Vietnam?

Perhaps the answer to this question of who are our friends can be seen in the history of the past few years. If we have any commitment in Vietnam at all, it is to the Geneva agreement, which we had pledged to carry out. The history is complicated and there were violations of the terms by both sides. But one point stands out as being of overwhelming importance. According to the terms of the agreement, the split between North and South Vietnam was to be temporary. Nationwide elections were to be held with the object of uniting the country under a single government. When it became clear to us that the regime we favored in Saigon had not much more support in the South than in the North, and would lose in any election, no elections were held. So much for our commitment to self determination for the people of Vietnam.

In view of this, I would be more comfortable of the President, in discussing our role in southeast Asia, spoke in terms of national self-interest rather than moral commitment, and posed the question of whether it is indeed in our self interest to be in Vietnam? To my mind, compelling arguments that it is not in our interest to be there have been given; e.g., by Senators MORSE and CHURCH. But if the administration insists that the matter is one of moral commitment rather than national interest, sensible dialog is impossible.

Even worse, the administration has made it clear that dialog is unwelcome. Members of Congress who have taken a strong stand against our actions in Vietnam have not been gently treated by the administration. There have been increasing restrictions on reporting out of Vietnam and even a few flagrant instances of harassment of reporters. The unhealthy and undemocratic attitude of "only the experts can decide such complicated matters" has been fostered.

But in spite of all this, or perhaps even in part as a response to the challenge, there has been an increasing expression of concern. People, for a great variety of reasons, are standing up and saying "enough." In spite of the awful circumstances which have led to it I find this protest an exciting thing and an indication of health in a society for which many had feared.

Sincerely yours,

KAREL DELEEUW.

SAN FRANCISCO, CALIF.,
April 22, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: We appreciate your courage and integrity in maintaining your opposition on Vietnam. We are dismayed that President Johnson has accepted Goldwater's trigger-happy position.

You speak for many quiet people who despair because their President has declared war without their consent or even that of their Congress.

Sincerely yours,

NATHAN SVEN.

SAN FRANCISCO, CALIF.,
April 22, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I feel I must write to congratulate you on your brave speech, which I heard on the radio this morning, regarding the war in Vietnam.

I wholeheartedly agree that the moral position of the United States has been seriously compromised by its escalation of the war. In the last analysis, people and nations are judged by what they do, not by what they say; and the actions of the United States in Vietnam directly contradict our supposed desire for peaceful settlement of international problems. Indeed, I am beginning to wonder if our desire for peace is not merely a desire for the kind of peace which prevails when one group, through naked power, can enforce its viewpoint upon the rest of mankind.

I hope you realize that your voice is finding many responsive listeners in the United States. The purpose of this letter is to encourage you to keep on speaking, loudly and clearly, knowing that many people share your convictions, but do not have the opportunity nor the eloquence to give them direct expression.

Very sincerely yours,

Mrs. GRETCHEN ANN HOAD.

CHEVY CHASE VILLAGE,
Chevy Chase, Md., April 24, 1965.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I interpret the news as indicating that many Senators are troubled by the violent course we are pursuing in Asia, and I therefore direct my appeal to you.

It is my belief that the President's advisers have lost their perspective, and are quite out of touch, in judgment, with intelligent world opinion. I fear that in their intense desire to prove they are right, they will soon commit us to a bloody land war we can never win, on the continent of Asia.

Under the Constitution, I plead to you as a Senator to do all you can to stop this recklessness.

I am not a member of any pressure group, but am not ashamed to say that I am particularly concerned because I have a young son who could be a part of this sacrifice. Certainly I did not agree to commit him to such a war, nor did the Senate under our Constitution. I am confident millions of other citizens feel as I do.

Please insist on a course of sanity before it is too late. That these advisers will "lose face" if our policy is changed, is certainly a matter of no true importance.

Yours, with hope,

JOHN W. MALLEY.

SANTA ANA, CALIF.,
April 22, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I wish to offer my heartfelt thanks and my support for your rare and welcome voice of sanity in our Government regarding the horrible war in Vietnam.

I have never felt so ashamed, so angry, and so frustrated, probably because I am an American and a Democrat that pounded the precinct pavement to prevent the implementation of the Goldwater policy—and because I'm not sure I would even want to stay the hand of doom that must surely come if we cannot allow life to those who will not run their governments to suit us.

When did we don this mantle of the Aryan supermen? How did we become the judge and executioner of the rest of the world?

Surely there are a few checks and balances left in Washington to halt this course of mad men. And I suggest that the preservation of even one human life is worth all the political wounds that could result through the process of impeachment.

Sincerely yours

R. L. SEIBEL.

ST. LOUIS, MO.,
April 22, 1965.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Please find enclosed a letter I have just written to President Johnson.

Sincerely,

JUDITH BAUMRIN.

ST. LOUIS, MO.,
April 22, 1965.

President LYNDON JOHNSON,
White House,
Washington, D.C.

DEAR PRESIDENT JOHNSON: I was one of those who fought hard for your election. I believed that of the many qualities which you brought to the Presidency the most important were caution and patience. You had learned through your many years in the legislature that things worth having are worth striving for carefully, without creating enemies for one's cause along the way. Your many hours of talk with your political opponents usually won them over—gradually.

I believed that in times when our relations with the other nations in the world required delicate, diplomatic, but most of all patient handling, that you would be the man who would fulfill these requirements.

But you, a wise man, have been foolishly advised. President Eisenhower was advised not to engage in direct intervention in Vietnam, and he, a brilliant military man, accepted this advice as sound.

Please, listen to those who would stop this club wielding course we are pursuing. Please hear their arguments. Senators CHURCH, GRUENING, MCGOVERN, and MORSE are all wise and patriotic men. Please, just listen with the best that is in you to what they tell you.

Sincerely,

Mrs. BERNARD BAUMRIN.

ORMOND BEACH, FLA.,
April 23, 1965.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: These days you must feel like a man standing on the bank of the Niagara shouting at a boatload of joyriders who are pushing off for a ride to the falls: "Turn back before it is too late" only to get their raucous reply: "We know how to take care of ourselves." Are you in a tiny minority in Washington or are there many others who see clearly the terrible disaster that awaits us and the world if we go to war with China? Are there only a few who discern the futility of trying to solve the problem of communism by war?

Hitler tried to destroy Russian communism by invading Russia and he did succeed in killing 15 million Russians and destroying untold property (secretly abetted by many in the West), but he left a fractured Germany. I was in the Far East when Japan launched her invasion of China with far superior military forces plus the advantage of the camouflage of Oriental features and the ability to live as the Chinese do. They did untold damage but lost their empire. Suppose we do beat China to her knees for a time, can we police the country? Can we support the necessary rehabilitation? to say nothing of survive in history the infamy of such an invasion. Is President Johnson to go down in history as the one who led us into such supreme folly?

I spent 18 years in China, most of it as a professor in the University of Shanghai. After 1900 we built up a great fund of goodwill to our people which has been almost completely dissipated by our policy toward mainland China since the war. Not long ago I received a letter from a Christian physician who is head of surgery in a government hospital in Shanghai asking why our Government took up such an attitude toward the Chinese Government when they were putting into effect many of the things Christians tried to accomplish (universal education and medical service, equality of women, etc.). The antagonism of China toward us is not utterly unreasonable when we consider our support of its enemy—Chiang Kai-shek—on Formosa.

Last night Alsop's column defamed Hans Morgentau as a pompous ignoramus because he took a position against the war hawks. Your speeches and Senator GRUENING's don't get into our papers. What can we ordinary citizens do to stop the false patriotism that demands that we support every military adventure which our Government undertakes?

Yours sincerely,

GORDON POTEAT.

P.S.—I met you several years ago at a tea in Paul Raymond's home when you came to speak at our Daytona Beach forum. I have long been one of your supporters. (I'm a retiree, 74 years old.)

BROOKINGS, S. DAK.,
April 21, 1965.

Hon. WAYNE MORSE,
U.S. Senator,
Washington, D.C.

DEAR SENATOR MORSE: I read a summary of your address at the Johns Hopkins University in the Hopkins Alumni magazine. I want to go on record for endorsing your remarks. I am afraid the present policy will bring an incident to precipitate an impossible war. Just because a mistake may have been made in a former administration is no reason to intensify this operation.

I admire your courage and sincerity.

Yours very sincerely,

DOUGLAS CHITTICK,
Professor of Rural Sociology,
South Dakota State University.

NEW BEDFORD, MASS.,
April 21, 1965.

The Honorable WAYNE MORSE,
The U.S. Senate,
Washington, D.C.

DEAR SIR: Do keep on with your messages to the American people over radio, T.V., and in the newspapers. I heard your taped message over the radio this morning, and I think it has powerful appeal to the mothers whose sons may have to give their lives in this unnecessary war, and to mothers who have already lost their sons in battle.

I just want you to know I'm very grateful to you, and a few others in Congress for your keen insight, fairmindedness, and humanitarian sensibilities, in matters dealing with Vietnam.

Sincerely,

Mrs. ALENE FORTIN.

KANSAS CITY, KANS.,
April 22, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I wish to commend and endorse your publicly stated views on the Vietnamese civil war. As the stanchest critic in the Senate of the administration's policy you have again shown your independence and courage.

My personal views of this situation are incorporated in a letter I have written to President Johnson. I have taken the liberty of enclosing a copy of that letter for you.

Please continue your efforts on behalf of a fair and peaceful solution to this problem.

Sincerely yours,

ROBERT G. WUNSCH.

KANSAS CITY, KANS.,
April 22, 1965.

President LYNDON JOHNSON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I am greatly distressed at your policy of continued aggression in the Vietnamese civil war. As a student of this situation for the past several years I continue to be convinced that we are illegally intervening in a situation which is indigenous to South Vietnam. Our destructive efforts there are not in keeping with accepted interpretations of international law, contrary to the letter and the spirit of the Geneva Convention of 1954, and in direct violation of the United Nations Charter.

Your April 7 speech calling for unconditional negotiations was superficially attractive. Upon study, however, it is clear that there were conditions and your protestations of a desire for peace appear to be hollow and quite insincere. Your speech was in reality a sop. It will be used to justify continued American aggression.

You have mentioned many times that the price of appeasement is dear and that the aggressor's appetite is never satiated. But because you give the enemy no choice but to appease our increasingly intransigent position, or fight against us, there can be only one logical conclusion. You have dedicated all of our resources to the single purpose of ensnaring China into a general war. This policy of preventive war is Goldwaterism at its worst and deserves the scorn of all thinking people.

If you must lead us into a general Asian war for the single purpose of perpetuating unchallenged American dominance in Asia you must understand this. You will lead a divided alliance, and worst of all a divided Nation, into that conflict.

Sincerely yours,

ROBERT G. WUNSCH.

VIRGINIA BEACH, VA.,
April 23, 1965.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Even after carefully considering information from the most reliable sources available to me, I am not certain that our Vietnamese campaign is serving the best interests of the American people. Does whatever the American people stand to gain in Vietnam merit the costs in their lives, moral standing, prestige, security, unification and creation of enemies * * *? All of the American people have placed their trust in you and your colleagues to protect them from sacrifice for causes that do not merit that sacrifice. If there is anything I might do to encourage careful evaluation of goals of our war effort in relation to costs involved, please let me know.

B. D. PHIPPS.

SAN JOSE, CALIF.,
April 23, 1965.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I wish to heartily commend you and all those in the Senate who have protested the illegal presence of U.S. troops in Vietnam.

I believe it was a tragic error for the Senate to give the President a free hand to follow any policy he deemed best in pursuing his undeclared war in that unfortunate country. It is my understanding that the Senate's business is to see that the wishes of the people determine such important decisions

especially when it may mean life or death for themselves and the continuation of life on this planet, which this conflict may well decide.

The President has proven himself a person totally ignorant of understanding of the rights of other nations and the consequences of those events for which he is responsible. I do not mean to infer he alone has made decisions, for it is well known the Pentagon has for far too long had a powerful hand in governmental affairs of this country. This should cease. I believe it to be unconstitutional.

It now appears all the progress made toward better relations with Russia during the past decade is fast deteriorating, if not now entirely destroyed and the friends among those we have considered our allies are day by day becoming fewer and fewer, I believe the mandate given the President should be withdrawn at once. Surely there must be machinery which would make this possible.

In addition I urge that a cease fire be arranged at once, the unprovoked bombing of North Vietnam be stopped. Someone must compromise and if we are seriously interested in peace we should do whatever is required to bring about negotiations toward that end. I urge that these negotiations be entered into by the parties who took part in the 1954 Geneva Conference including also representatives of the Liberation Front, called by some the Vietcong, as they are the ones against whom the attack was originally directed. These negotiations should continue until a settlement satisfactory to the Vietnamese people should be arrived at which, of course, should again include a free election under the auspices of the U.N., and not to be interfered with by the United States as in the 1954 agreement.

It is difficult for me to believe that our objective in Vietnam is that which the President claims, as I do not believe the policies of this Government have changed since Eisenhower made a speech before a Governors' conference in August 1953, when he stated:

"Now let us assume that we lost Indochina. If Indochina goes, several things will happen right away. The peninsula, the last bit of land hanging on down there, would be scarcely defensible, the tin and tungsten that we so greatly value from that area would cease coming. * * * So when the United States votes $400 million to help that war (then France's war) we are not voting a giveaway program. We are voting for the cheapest way we can to prevent the occurrence of something that would be of a most terrible significance to the United States of America, our security, our power, and ability to get certain things we need from the richest of the Indochina territory and from southeast Asia."

Occasionally the cat is let out of the bag. It would seem the interest of the United States is considered by this Government to be the only thing to be considered, as in the Latin American countries and everywhere the Government of the United States could by fair means or foul gain control. It is a disgrace and only a return to the basic ideals upon which this country and its Government were founded, adherence to the principle that each nation has an inalienable right to decide for itself the form of government it wishes to live under to run its own affairs as free citizens, without interference from without, can restore sanity to the world.

Because of the need for the public to understand just what the war in Vietnam is all about and how self-defeating it is I suggest a speaking tour of the United States by yourself and any other Member of the Senate, to lay before them the facts, that our position as the aggressor should be made most plain to them. I believe the expense for this undertaking would gladly be borne by the existing peace, church, civil rights, and other organizations, now so greatly concerned.

The question in my mind is this: Is the Senate unable longer to act in a statesmanlike manner to protect the citizens of the United States or not.

Yours very truly,

DELLA F. BROWN.

SAN JOSE, CALIF.,
April 17, 1965.

President LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: This letter is an expression of dissent with the immoral and illegal war in which you have committed the United States in Vietnam, and is being written for the reason that I believe failure to dissent is to imply agreement with the presence of U.S. troops in Vietnam and the senseless bombing of North Vietnam. The time has come when no longer can informed citizens remain silent.

The propaganda emanating from the State Department and the White House is totally alien to the real facts, and affronts the practical judgment as well as the moral sense of millions of those who defended you against the attacks of your opponent during last fall's campaign and who so hopefully cast their vote for you in November on the strength of your promise to take steps to end the hatred so prevalent in this country and to diligently seek roads to peace. We did not realize that the hand you promised to stretch out to all concerned in the quest, would hold a gun.

My vote, as well as that of a large majority of those who supported you was an overwhelming repudiation of the policies voiced by your opponent, Barry Goldwater. That fact should have been crystal clear to you. Now that you are safely in the seat of authority and we see you not only adopting but recommending the Goldwater policies which you soundly condemned during your campaign, we feel that we have been betrayed.

The methods you are employing in your unjustified war in Vietnam are antiquated. They reflect only what stupid men all through history have attempted, and failed to prove, that war is the only way to solve the problems that from time to time beset mankind. The truth is, historical records prove that war has been found hopelessly inadequate to produce anything but more war; is a totally unintelligent way to attempt to solve human problems and it can never result in enduring peace.

On the other hand, our Creator gave mankind laws and provided men and women with mind and the power to reason which, when used intelligently, in conformity with His laws provides the only way the peoples of the world can live and prosper together without conflict. It cannot be that you are totally ignorant of those laws, Mr. President, which comprise Christian doctrine, among which is the Golden Rule. This rule admonishes "all things whatsoever ye would that men should do to you, do you even so to them." Or can it be that you consider yourself immune to the consequences of disobedience to this basic law, and to the commandment "Thou shalt not kill"?

Looking further into the very important, though seldom mentioned subject of universal law; whether one is concerned with matters pertaining to nature or the thoughts of man upon which their actions are predicated, the universal law "like produces like" is inexorable and always operative. The cause of crime and juvenile delinquency, the breaking down of morality, etc., with which our courts are so greatly concerned now and which are increasing at such an alarming rate, leads directly to the doors of our own Government now engaged in the greatest crime of all, ruthless and brutal war which cannot be justified by any pious utterances from the State Department or the White House.

When the news reports daily on the number of Vietcong which have been killed, and in many instances those who did the killing are given medals which only glorifies the act of murder, what effect can any thinking person possibly think it would have upon the mind of our youth? If it is quite legal for their Government to kill innocent women and children, burn their homes and rain down bombs upon them, why then is it wrong to follow the example of their Government whom they have been taught to believe is beyond reproach. So the search for the cause of crime ends right at the door of the White House and the halls of Congress. It is perfectly obvious to all who do any sane thinking that crime in this country is escalating in exact proportion to the escalation of your war in Vietnam. Ponder over that, Mr. President. There is nothing more scientific than divine law.

Today a statement allegedly made by you, reported in the news, states that no human power can force you to change your Vietnam policy. This implies stubbornness, not statesmanship, on your part, a lack of courage to face the fact that to continue your present policy is to not only lose the respect of the rest of the world and their friendship, in the end, but that you not only should but will meet with complete disaster. Does it not seem a very high price to pay for your folly?

To occupy the same position in the pages of history with Mussolini and Hitler who also believed that might made right, should not be an attractive thought to you. They also gave no thought to retribution, but it came in due time and whether you realize it or not, you may be facing the same end as a result of disobedience to divine law.

The U.S. Government made a colossal blunder when it was persuaded to interfere in the internal affairs of a nation, an act forbidden by the Charter of the United Nations, to which the United States was a signatory. It has now developed that you are compounding that error by taking on a war against a people who are actually engaged in a civil war against great odds, in the defense of their inalienable right to a government of their own choosing not one forced upon them by alien bombs, guns, and poison gas. Strangely enough the freedom of choice is the very thing to which this Government is committed, yet it appears that freedom of choice must be approved by the United States. What nonsense.

No one can deny that the Vietnamese, both North and South, are as entitled to their culture, their language, and a system of government of their own choice as are the citizens of the United States. Who among the people against whom this cruel and unjustified war is being waged could possibly believe that the only objective of the United States is to preserve their freedom when the U.S. forces are employing every cruel and inhuman method to prevent them from having that freedom, and especially when it is always stressed that any action must be in the interest of the United States?

The presence of the U.S. Armed Forces in Vietnam is to a large percentage of the population a form of tyranny, and many millions of citizens of this country agree with them. That is why people from all walks of life are demanding that you call for an immediate cease-fire and meet with all parties concerned, most particularly with the Vietcong, against whom the war is being waged, to negotiate a settlement, one acceptable to the Vietnamese people, to be determined by a free election under the supervision of the U.N. and without the presence of U.S. troops. This election is according to the provisions of the Geneva agreement of 1954 but which was circumvented by the U.S. Government. We do not feel that the people of the United States

should be called upon to give of their substance, their blood, or their tears to further the aggressive policy of this Government.

It is time to recognize the fact that the world is rapidly changing. No bombs, missiles, or biological war, which this Government is so shamelessly preparing for, can stop it. It is as real as the change of the seasons. The peoples of the world are determined to break the shackles of poverty which have bound them over the centuries. They now know the cause and do not need to be told by the Communists when they are hungry, in need of the education they have never had, or the good things of life.

It is not the ones who now have might on their side and who believe that is their security, but the downtrodden and, as the Bible tells us, the meek who will inherit the earth, and it may be sooner than you think.

I do not expect a reply to this letter, nor nor do I care to receive another copy of the questions and answers on Vietnam fiction.

Most sincerely,

D.F.B.

NORTH MIAMI, FLA.,
April 24, 1965.

Hon. WAYNE MORSE,
U.S. Senator,
Washington, D.C.

DEAR SENATOR: We wish to congratulate you on your great effort in protesting the senseless war in Vietnam. We want to let you know we are 100 percent behind you all the way.

Yours very truly,
Mr. and Mrs. WALTER L. WISEHART.

OREGON CITY, OREG.,
March 1965.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I am writing this letter to you to state my opinions on the Vietnam crisis. I don't feel that the millions of dollars and numerous lives lost each day are worth all our efforts to gain friendship with this country. This is proved by the fact that each day we are physically losing face more and more; rather than gaining it as we had hoped.

I believe that the smartest move the United States could make would be to clear out of Vietnam and to do it fast. The people of Vietnam have certainly more than proved to me that they are very ungracious toward the help we have been giving them in the past. I am wondering how much longer it is going to take our U.S. Government to realize this and act accordingly.

Thank you.

Yours,

Mr. NORMAN BASS.

SHERWOOD, OREG.,
March 30, 1965.

Hon. WAYNE MORRIS,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE, this is to inform you of my support of your position on our policies in Vietnam.

It is difficult to find a valid reason for American involvement in Asia, either historically, or from people who have traveled or lived there recently.

The oriental must shake his head in wonder at the classic American jokes about "saving face."

One of the best ways I have found to remedy a social blunder is to apologize and leave. I would like to recommend this to the U.S. Government.

Sincerely,

JAY MARTIN BAKER.

CORVALLIS, OREG.,
April 2, 1965.

DEAR SENATOR MORSE: I have been shocked and sickened by what I consider to be the reckless, irresponsible, illegal and immoral actions of President Johnson in his escalation of the war in South Vietnam. During the presidential campaign President Johnson stated explicitly that there was a fundamental difference between the bellicose, trigger-happy policies of Senator Goldwater and his own sober, diplomatic, peace-loving methods. The present policy in southeast Asia makes a travesty of Mr. Johnson's promises. So far as I can see the consequences of this policy can only be disastrous.

My wife and I wish to express our admiration for your courageous and intelligent criticism of this new and savage policy of escalation. We pledge our support to you and to men in the Senate such as GRUENING, CHURCH, MCGOVERN and NELSON. We are saddened and disillusioned by the craven silence of men such as MANSFIELD, FULBRIGHT, and Stevenson.

This is our third year in Oregon. We consider it an honor and a great privilege that you are the Senator from this State who has the integrity and the vision and the knowledge to criticize a policy that is cruel, immoral and ultimately self-defeating.

Respectfully yours,

THOMAS R. MEEHAN.

SHERIDAN, OREG.,
March 30, 1965.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: I started to write this to the President, but thought I might get more satisfaction from writing to you.

There is so much talk about Vietnam (and while working in our State fair I noticed there was an overwhelming interest from people of all walks of life, all ages, about Vietnam) that I feel it is time for me to voice my views.

It just doesn't make sense to think we are going to ever achieve peace in this world, as long as there is a war going on any place in the world. I don't care how small it is or how isolated it is; relatively speaking there just is no such thing as a "small war," or an "isolated war."

Vietnam surely needs help, but it should come through the U.N. and the United States should get out until their help is needed and asked for by the U.N.

Thank you for the opportunity to air my feelings. I feel I am speaking to a fair man, an intelligent man, and a Christian man. It helps to know you are on the job.

Sincerely,

MOLLY BAIL.

THE DALLAS, OREG.,
March 31, 1965.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: My husband and I thank you for your outspoken opposition to our intervention in Vietnam.

Sincerely,

RUTH STOVALL.

CORVALLIS, OREG.,
March 31, 1965.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: Enclosed is a clipping that says plenty. Isn't there some way that this undeclared war can be stopped? Each day we read in the papers how war is being stepped up. The French knew enough to get out of South Vietnam but apparently we haven't learned our lesson yet.

Anything that you can do to stop that war that is leading directly to war there will be greatly appreciated.

Thanks for the many favors you have done and for your stand on this South Vietnam situation. I am,

Yours truly,

MARTIN H. BAKER.

[From the Oregonian, Mar. 31, 1965]

ASIAN NOVELIST CRITICIZES U.S. VIETNAM POSITION

WILLAMETTE UNIVERSITY, SALEM.—U.S. action in Vietnam is promoting communism and "you should pay attention to your Senator, WAYNE MORSE, on the Vietnam issue," claimed Dr. Han Suyin in talks at Willamette University Tuesday.

Dr. Han, a doctor of medicine and successful novelist who knows many of Asia's leaders personally, criticized U.S. policy and actions in Vietnam and said, "You're not reassuring your friends; you're frightening them and consequently losing them."

Dr. Han, who lives in Malaya, backed MORSE's position calling for U.S. withdrawal, a solution that she feels is necessary to achieve the ends which the United States claims to be seeking in Vietnam.

Her comments came during informal talks to students following a morning address on "The Many Faces of Asia," as part of the Willamette lecture series.

UNITED STATES SAID MISINFORMED

Dr. Han indicated that the United States is sadly misinformed on the Vietnam situation and that citizens in general are trying to take a short cut to knowledge on the basis of mass communication that still doesn't present the whole situation.

In speaking on the many faces of Asia, Dr. Han stated that the "bedrock problem of Asia today is that it did not invent the steam engine."

"While the Western World has been involved in an industrial revolution for the past 400 years, only in the last 100 years has Asia begun to emerge from the feudal age in a struggle to assume its identity in the world."

POVERTY PREVALENT

Dr. Han indicated that 80 percent of the Asian population lives in the countryside, where peasants stagnate at the level of poverty.

"But," she added, "the peasant no longer accepts the problems of poverty as God-given; he knows they are from the hand of man."

Land reform was seen as a necessity before any industrial revolution and "we cannot look forward to anything but change and turmoil for at least the next two decades."

TRADE, NOT AID

"Trade, not aid is the motto of Asia," she declared. Restrictive tariffs have hindered external markets for Asian goods and poverty hinders internal markets.

She said any form of government that offers some measure of security, some measure of prosperity to the many people who are starving, will have the people's support.

"It is good for Americans to talk of freedom and democracy, but the word freedom is unknown to the peasant—it is not even in his language. He has only the freedom to starve," she said.

There has to be an overwhelming drastic reform in Asia from the bottom up. And it's not going to be attained by means of arms or might, according to Dr. Han.

PORTLAND, OREG.,
April 2, 1965.

Senator MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Our President's barbarianism has gone too far. This time he really flipped his lid, burning people like Nero, and Hitler.

My conscience continues to bother me so I wrote some more letters (copies enclosed). I hope my last letters have enough poison in them to poison those war hawks, because I'm getting a bit discouraged.

I can't even imagine how you could take it all these years.

Sincerely yours,

MRS. NATALIE DRISCOLL.

PORTLAND, OREG.,
April 2, 1965.

The OREGONIAN,
Editor HERBERT LUNDY,
Portland, Oreg.

DEAR EDITOR: Do you really believe that you can stop our President's barbarity with your editorials?

Nero was a happy and gay person; he was happiest most of all when he set his city, Rome, on fire. As you know, he played his musical instrument while people burned. Sure, he was crazy.

Strange how history repeats itself. Is our President sane when he sets forests on fire, deliberately burning alive babies, children, and illiterate, poverty-stricken villagers. He is happy on TV (see enclosed letter to Vice President HUMPHREY.

Don't say stop, stop President for this he will not do (you can already see this). Instead try to figure a way to yank this pyromaniac out of the Presidency or to get Congress to limit his war authority by new legislation. People should not expect this poor soul to act rationally.

Enough people on both sides have already been murdered; what are you waiting for catastrophic figures or world war III? This is no time for embarrassment, we, the public, are to blame for the President's actions, for we are sane. It should not be my country right or wrong but on the contrary, if my country is right, OK, but if wrong, correction.

Why not try (if possible) to arrange a conference between you newspapermen and TV networks for the purpose of solving the problem for it is a problem that neither you nor the Vice President can manage alone. It's fantastic that world powers and Congress are also afraid to act but the problem is serious and everyone thinks and hopes the other fellow will do the work, and the President continues, in his madness.

Sincerely yours,

MRS. NATALIE DRISCOLL.

PORTLAND, OREG.,
April 1, 1965.

Vice President HUMPHREY,
White House,
Washington, D.C.

DEAR VICE PRESIDENT: When our side bombed Asian schools both with gas and bombs, most war hawks did not shed many or any tears. However, when the U.S. Embassy, officers club, and other headquarter groups perish, these same war people cry murder! In this day and age, how can anyone not know that war is tragic murder on both sides?

In the past, war hawks enjoyed relative immunity. During the day, they sat unscathed behind desks, far behind the battlefront planning and carrying out bloody wars, in which the sons of common people, for the most part, died in great agony in trenches or were crippled. At night, many of these same war hawks thoughtlessly entertained themselves with speeches, festive dinners, beauties and champagne.

The war in Vietnam is unique in that the Communists are no respecters of this ancient tradition and now, all participate, all die. Tragic murder? What about the schoolchildren?

What about burning alive with fire, innocent South Vietnamese civilians. The United States put on fire 19,000 acres of forest, claiming that leaflets were dropped, warning civilians to get out. The President very well knows that 90 percent cannot read (in fact you could make it 100 percent for villagers). If there would be one or two who could read, would the leaflet fall in their hands, in the right place. One does not need to look for hell after death; this is hell.

Jesus, if there is a God (nature-spirit), like you said there is and you are the earthly spirit (part of the great universe power) why then do you permit this insanity on poor people, while the war hawks laugh like devils and claim their morale is lifted? "What Price Glory."

Come to think of it, Jesus stated that before the advent of His new world system, there would be famines, earthquakes, and wars. It's unfortunate for the human race to suffer such great tortures but maybe they are necessary to produce wisdom (reason and not book knowledge) in order for the world to survive.

Famines and earthquakes force the common people to band together as groups to fight for human rights against both natural and man-made disasters and injustices.

Punishment of war hawks is mandatory for these people do not understand that the earth was created by a great universe power and should not be devastated by their stupidity or insanity. I'm sure its God's will that war hawks will be banished forever, for earth is His footstool and He isn't going to allow pipsqueak generals to make a fool out of Him.

It is for this reason that U.S. doves are crying and their numbers are becoming greater as the war escalates and gets dirtier. Four U.S. wars in half a century is sufficient proof that war does not achieve freedom and that only wisdom can produce this, particularly since both sides are unconquerable and left (Christ and his follower, Karl Marx, were both for the poor).

Since the doves are an intelligent public, how long are you going to ignore their message? If you cannot recognize your public, here is its shape:

1. Science and religious groups clamor for peace.

2. Students and teachers fast and sing such as 1, 2, 3, 4, we don't wan't war (in Vietnam); 5, 6, 7, 8, have the world associate.

3. Newspaper editors and writers (formulators of public opinion) are advising the President not to abdicate his reponsibilities to military hawks and for Congress not to abdicate war responsibilities to one man.

4. Congressmen (even Republicans) cry for humanitarianism.

5. We, common people, demand peace with or without negotiation. How much clearer can the public get? Like Jesus said, "They have ears but do not hear."

Since we doves voted you into office (warhawks lost Goldwater), then we, the people, demand that you serve us. If you too are not capable of carrying out your duties, why not resign and give someone else a chance to do your job better?

Recently I heard the President state, "He felt like a jackass pelted by Texas hail." It's bad enough for others to think this but if the President (in his position) feels this way, he needs help. His soul is not altogether wicked (for he did all right on the home front) but his soul is lost and groping in world affairs.

It is your job to help this poor soul; don't be afraid. As your rank superior, the President's powers are limited. He cannot fire you because the people hired you. The people made you second in command (so quit hiding) and be an assistant to the President, not his servant. However, remember above all, that your oath demands that you remain loyal to the country, not the President.

It's true you haven't shown much support for the President's foreign policy; in fact, your intelligence makes this virtually impossible. However, this doesn't seem to be enough. Wisdom like yours should shine like a beacon and not be just barely visible through cracks in a bushel. Your own advice to the President would be of more value than all the military jackasses that there are in the United States; so why is it necessary for the President to go to the jackasses or feel like one?

When the President saluted the space twins it seemed to me as if he were trying to recapture some kind of a military aura, perhaps the kind he missed in World War II.

If the President really means "Give me liberty or give me death" what is there to stop him from becoming a commander in chief on the battlefront like Theodore Roosevelt? The battlefront is not particular; it will accept anyone, as well as his daughters, as can be witnessed in Vietnam. I'm sure the United States wouldn't miss him, for under his policies the United States considers humans dispensable and then you (the more intelligent) could be President.

The above criticism may be a bit harsh, but it is constructive. Our President should not expect our people to do that which he, himself, or his daughters would not be willing to do. The President once remarked he would be here in the year 2000.

Also, at 57, the President should be able to accept criticism and profit through it, for that is the purpose of criticism. I now reject the idea that public officials should be shielded from criticism; this is a democracy.

However, if the President's narcissistic love of self is so strong that he cannot bear the tiny and ancient Vietcong winning, to such an extent that he will even burn alive people he's supposed to be helping in order to get at the Vietcong, then he needs a psychiatrist. In defeat, insane defiance. Under such circumstances the man apparently will plod and escalate until world war III blows up the world. You cannot expect him to act rationally like Kennedy with Cuba. Kennedy asked the military, "How many people would be killed?"

In World War II, as an overseas WAC, I was saluting and wearing a uniform but I wasn't contributing anything of value to my country. Is this patriotism?

Now in the war against war, I have to summon the utmost courage to write letters like this. It takes real patriotism for I am a diabetic and arthritic, in continual pain and infection, and extremely tired of writing letters.

Wisdom is the greatest weapon but I feel like Jesus trying to teach people full of hate from a painful position on the cross.

In April 1961, I was near death with septicemia (blood poisoning), endocarditis, and rheumatic fever. The pain was more than I could bear and I prayed for Jesus to take me away. Soon after, in a dream, I saw my 4-year-old son, tears streaming down his face, begging me not to die.

It was then that my Jesus philosophy took shape and since then it bothers me to see little children suffer. Yet children are the greatest victims of war; imagine burning children alive for adult problems.

This is my personal appeal but since you men want cold facts, alright there are those, too.

With the advent of nuclear energy, generals are as obsolete as the horse and buggy and earth people have important things to do, such as learning how to get along. Please contemplate and comprehend if possible, genius, the following paragraph retrieved from a pamphlet.

"Space is so immense that the best human minds are unable to comprehend it. In our own galaxy there are about 100 billion stars 'like our own sun' that are stretched over such an inconceivable distance that light, moving at a speed of 186,000 miles a second, takes 100,000 years to cross it. And this is only one of an unknown number of galaxies. Light from the most distant one that man can see with his largest optical telescope took 2 billion years to reach the earth. Compared

with such vastness, man's rocket accomplishments fade to insignificance."

This is sufficient reason why the doves must win. In comparison to the universe, tell our President, he isn't even an insignificant flea and blowing us the world isn't going to make him any bigger. If this doesn't give him humility, nothing will.

I am under the impression, that in the event that a Commander in Chief is not capable of discharging his duties that the Vice President takes over. I do not know what is the criteria, who will determine and when, but the world is about to be blown to bits, and there isn't any time to waste. You and those over 400 Congressmen should do something more than talk. Ask the Congressmen for help.

Sincerely yours,

MRS. NATALIE DRISCOLL.

P.S.—Do not give the President this letter. He is beyond help of my letters and they would only enrage him.

CRESWELL, OREG.,
March 29, 1965.

LYNDON B. JOHNSON,
President of the United States, the White House, Washington, D.C.

DEAR MR. PRESIDENT: In Eugene, as in many places in the United States, groups have used foreign policy association compiled material and other information in "Great Decisions" discussion groups. We have just had a session on Vietnam.

Because of participating in such a study group I do not presume to inform you about a situation concerning which you have plenty of knowledgeable informers. But, I do have to assume that our actions in Vietnam do not become a good American nor a good democracy.

It seems important to me that we lead for self-determination in South Vietnam just as earnestly as we do in Alabama. And, I want this letter to convey to you the strong support I have felt, and tried to express locally, for your leadership in insuring Negro rights in our Southland. That will stand to your credit in history pages.

Contrary to this action, however, you take leadership in Vietnam to force a government upon the people that they detest so much that they run for Communist help to get away from their government and the United States. So, instead of protecting the area from communism we may be said to expand communism, and must, in following our present course, end up in history as the Nation that circumvented a democracy in Vietnam that we preached and tried to practice at home.

In view of the present situation I believe it is most vital to world peace and to our Nation's honor that we move at once, and with the greatest speed consistent with soundness, to make it possible for the South Vietnamese people to elect a government that represents them and their desires. I recognize that there are possibilities of Communist strength in the area but nonetheless that it is an area traditionally opposed to Chinese domination.

Is it not very important that we stop action considered colonial like in the area and take leadership in U.N. effort to give those people the right of free expression in their government? With the right will, a way can be found to do this. Our leadership seems to be lacking the will to give there what we insist upon for ourselves. Lacking this our help and encouragement on the Mekong River project and U.N. activities may fail to convince them that we are not aggressors.

Historically, Communists have been accused of letting the end justify the means used to gain it. Some have answered that the means becomes the end. If we are right, Mr. President, it seems we will be more prudent to exemplify less the violent means of some Communists and more the nonviolent means of some Negroes who are overcoming.

But our time is short. We tarnish our honor by being forced into democratic action for the more lasting good of all. Surely we should stop the "Little Tin God" stand we are making in southeast Asia. And, surely with the right will and cooperation with the United Nations we can give more democracy to that area even though they may make some bad choices as we no doubt have sometimes done.

Sincerely yours,

G. RALPH EARLE.

Copy to Senators: WAYNE MORSE, MAURINE NEUBERGER, and Congressman ROBERT DUNCAN.

CORVALLIS, OREG.,
March 31, 1965.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Congratulations for your courageous advocacy of peace in Vietnam. Our present policy seems directed toward the destruction of the U.N.; we seem to be striving to earn the enmity of the Indochinese by destroying their villages. We confuse civil war with Chinese- and North Vietnamese-backed invasion, setting ourselves as judges over the right to self-determination of the Vietnamese people.

I believe that just as we have no right to dictate the political destiny of a people, we also have no right to dictate their economic destiny. We are our brothers' keepers, and must help them, but our help need not be given tactlessly. Aid should be so administered as to provide the greatest possible advancement at the least possible cost to the recipient's dignity.

As a Peace Corps volunteer in Chile I observed that AID money was much less effective than Rockefeller or World Bank or UNICEF money. Our foreign aid program has too many bosses—both high AID officials and visiting Congressmen. (However, very few of these take the trouble to go on inspection trips far outside Santiago.) These hurt the program by their emphasis on the writing of apparently fruitless reports and on rapidly visible results. Longer term projects under international organizations suffer much less from these problems. Further, internationally directed projects do not foster a feeling of inferiority, resentment, and dependence toward the donor—partly because he is less readily identified.

I would advocate that as much as possible of our economic foreign aid be directed through international organizations. As for military foreign aid, I fail to see why it needs to be double the economic; I should like to see it eliminated.

Sincerely,

AMOS ROOS.

THE DALLES, OREG.,
April 1, 1965.

DEAR SENATOR MORSE: I'm writing you a few lines to let you know I agree with you 100 percent on your views concerning the situation in Vietnam. Fully four-fifths of the people I talk to also think as we do about that senseless war. Isn't there something that we, the people, can do about it. Many of us are willing and eager to do something to stop the slaughter of both our own boys and the natives of Vietnam but we lack leadership. Please help us.

Yours truly,

MAE MCCULLOUGH.

OREGON CITY, OREG.,
March 12, 1965.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I wish to voice my opinion on the present Vietnam crisis. I strongly feel that we should pull our troops out of Vietnam. It seems to me that it's a waste of time leaving our boys to help out in a place where help seems unwanted. If help is wanted, it's wanted only by the minority and the United States goes against her principle "majority rules" by trying to force democracy upon people who don't want it and seem to fight it at every step.

Another point to be considered is—even if democracy finally was accepted by the Vietnamese, their government is so instable that democracy would fail to last for any length of time.

It seems a terrible waste that the lives of our boys and the money of our country should be sacrificed for the well-being of a country that fails to appreciate it. It seems to me that there must be a better answer to this problem.

Respectfully yours,

Miss PAT LYONS.

COOS BAY, OREG.,
April 1, 1965.

SENATOR MORSE: I read the speech you made at Portland, Oreg., concerning Vietnam and I wish to say that I agree with you. I hope that the United States does not go completely beserk.

I believe the people of this country have been so brainwashed about communism that they can no longer use good judgment about it.

Sincerely,

LAWRENCE HAGQUIST.

YACHATS, OREG.,
April 5, 1965.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: McGeorge Bundy says he believes the American people suppcrt President Johnson's present policy in Vietnam. He was rather vague about his source for making this assessment.

I want you to know this citizen does not support our present policy in Vietnam. This citizen still agrees with you—we should not be fighting in Asia.

If, as Bundy says, President Johnson believes that Asia is for the Asians, and that the development of their resources should be undertaken by Asian leaders, is it not reasonable that the Asians should fight their own wars?

President Johnson stated something to the effect that the terrorist bombing of our embassy in Saigon will strengthen (?) the American people's resolve to fulfill our obligation (?) in South Vietnam. He sounded almost like Roosevelt after Pearl Harbor. If our security forces there had advance knowledge of such a bombing, was not the laxity in military police protection a virtual invitation for them to go ahead and bomb it?

This is not an accusation—it is a question which I think the American people should be wondering about.

The knowledge that Hanoi, with the overt backing of Peiping and now Moscow, started an aggressive action by organizing the Vietcong insurrection, is coupled with this tragic pose of Uncle Sam as the rich moral crusader who will send his eager nephews to the far side of the world to fight on any foreign battlefield, in any foreign war, where he is invited to defend a non-Communist nation.

The fact remain—lost in the uproar of a righteous cause—that the United States should not be fighting in an Asian war. We should never have undertaken that commitment when the French bowed out. We should recognize now that it was and is a mistake. Or are we too swelled in the head? In the long run continuing this war will hurt us more than it hurts Red China.

Do our generals enjoy this Vietnam thing? Let them be reminded that these men and boys who die in the mud and jungle and

skies of southeast Asia are not little tin soldiers. Each one is an irreplaceable human being who deserved better than to die in a war between two nations in Asia.

Sincerely,

LAWRENCE DAWSON.

BEAVERTON, OREG.,
April 3, 1965.

Hon. WAYNE MORSE,
U.S. Senate Building,
Washington, D.C.

DEAR SENATOR MORSE: This letter is written in response to your recorded speech which was broadcast on the Portland, Oreg., radio station, KEX. The speech concerned the "nausea producing, nonlethal" gas being supplied by the U.S. Government for use in Vietnam. Previous to your speech, I had felt that the use of this gas was immoral and unethical. However, your speech pointed out the fact that the use of this gas is also illegal in the terms agreed upon at the Geneva Convention.

Since I am in complete opposition to this action on the part of our Government, I am writing to you to ask what I might do in support of the feeling you so positively expressed in the above-mentioned speech. As a voter, taxpayer, and loyal citizen of the United States, I feel obligated to speak out at this time. I realize my position as part of the masses is quite insignificant in moving our Government to make decisions. Therefore, I hope that you, as my Senator, will be able to act supporting the feelings you have expressed and to call on me requesting any help I might possibly give to aid this cause.

Very sincerely yours,

DIANA M. GERDING.

PORTLAND, OREG.,
April 4, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: We have attended your recent debate with Senator PROXMIRE in Portland.

As U.S. citizens and the residents of Oregon we are proud to have you as our Senator.

May we thank you for bringing the truth, no matter how ugly at times, to the American people. We trust you will continue your relentless campaign for a lawful solution in Vietnam, as well as in other parts of the troubled world.

You have our gratitude and fullhearted support for your brave actions and your outspoken views.

Sincerely yours,

AZIADNA V. LAPIN.
EUGENE LAPIN.

PORTLAND, OREG.,
April 6, 1965.

Hon. WAYNE MORSE,
Washington, D.C.

MY DEAR SENATOR MORSE: As a retired horse trainer, I have been following your fight to preserve the American people from a cruel and burdensome war in Vietnam.

I must reveal to you that I have nothing but the most highest respect and admiration for your actions and speeches to expose to the public the illegality of this country's involvement in a war largely imposed on the American and Vietnamese people by former Secretary of State, John Foster Dulles and his successors in office, who have failed and neglected to conduct international affairs in conformance with international law and commonsense.

As your loyal supporter, I commend you in opposing this administration's policy and its further involvement to escalate the war in Vietnam. Nearly every person of experience can foresee that before this war is resolved, President Johnson and his advisers, as well as the American people, will have an adequate opportunity to sober up with the absolute knowledge of the fact that the United States cannot forcefully rule and dominate the yellow race without extending the casualty lists into the millions.

Retreat may seem cowardly but at times most wise; realistic negotiation, most likely, may lead to an honorable solution. If the President were to appoint you to serve in a capacity to explore and to participate in negotiations with the North Vietnamese and other governments in a United Nations forum, you could help the United States find a peaceful solution to terminate the war. Your experience in solving labor disputes would enable you to bargain effectively in behalf of the United States and the people of the world.

You may use this letter as you may see fit.

Sincerely,

GLEN KLINE.

PORTLAND, OREG.,
April 4, 1965.

DEAR SENATOR WAYNE MORSE: Keep talking, for you are right and we are thankful that you are being understood and we all hear you.

I have been very disappointed since the election that our program is not as peaceful as it was presented.

I would almost think the other party had won if I hadn't seen the victory.

I think the President had too many Republican advisers, and they promised the Democrats waged the wars.

They must be very happy that they are not losing face, when losing face seems to be the big problem in the war program for the Nation. The Republicans will say we told you so for they are now saying the Democrats followed their program.

Respectfully yours,

CRYSTAL MAXWELL.

Hon. WAYNE MORSE,
The Senate,
Washington, D.C.

DEAR SENATOR MORSE: Please count me among those urging a peaceful settlement in Vietnam soon.

Sincerely yours,

SYBIL EMERSON.

McMINNVILLE, OREG.

APRIL 6, 1965.

DEAR SENATOR MORSE: Your stand on Vietnam is intelligent and courageous. You deserve the thanks of the whole country.

Very truly yours,

MILLICENT A. ST. HELEN.

SALEM, OREG.

FOSTER, OREG.,
April 7, 1965.

Hon. Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: As you have been consistently right on issues and questions concerning Asia, you are doubtless so on Vietnam.

We should get out of there whether we save or lose face. It seems to me that President Johnson and his chief advisers are sold on the idea that might is right. I wonder if they have considered the nations that have survived the practice of this policy? Most of my neighbors say they feel the same way.

HERBERT T. HUGHES.

SALEM, OREG.,
April 6, 1965.

DEAR SENATOR MORSE: I heartily agree with your stand on Vietnam. Your debate in the ER center April 2 was very enlightening and it seems that the public is being told only what the administration believes the public should know.

We have the undying hatred of the masses in Asia from our conduct of the war.

Respectfully,

VICTOR A. HELGESSON.

PORTLAND, OREG.,
April 7, 1965.

President LYNDON B. JOHNSON,
White House,
Washington, D.C.

DEAR MR. PRESIDENT: I am writing to express my protest concerning our present policies and actions in Vietnam.

We must invest our resources and our prestige in the direction of the rational, intelligent and civilized method of resolution of conflict as provided for by the United Nations. The nonuse of this course of action is irresponsible for a country in a position of leadership.

We must not follow the course of action of even "limited war." In an era of great scientific achievement and growth of all knowledge such as never before dreamed of, it is unbelievable that we resort to fighting and killing in a manner distinguishable from the behavior of animals only by the weapons.

Our present actions in Vietnam are not only morally wrong, but legally and rationally wrong as well. To resolve, or attempt to resolve, differences and competitions between communism and ourselves through anything resembling war is a betrayal of everything we stand for.

This is the time to stand for a world order, a system, a process to resolve differences and achieve compromise, and if there were none our country should strive to create such an organization. Of all things, we must not turn our backs on the United Nations and fail to use it. If we see weaknesses, work to correct them rather than revert to savagery.

Sincerely,

ROSS C. MILLER.

(Copies to Senator WAYNE MORSE and Representative EDITH GREEN.)

PORTLAND, OREG.,
April 9, 1965.

WAYNE MORSE,
U.S. Senator.

DEAR SENATOR: Just a few lines to tell you I am very glad for the stand you have taken on our involvement in southeast Asia. As I see it this is the result of our interest in other people's affairs. I was learned at an early age to mind my own affairs and I have been very glad for that learning; it has paid off wonderfully for me and I am sure the same principle applies to nations as well. Please take a look at the record, I am sure you can see what price England, France, Spain, and Germany paid for their "interest" in outlying countries. Then glance at the record of those countries who have tended their own affairs and see where they stand.

We have spent millions to develop the United Nations and now refuse to put our disagreements before that wonderful body of nations. Even the most ignorant uneducated peoples can see we are on the wrong road if we want a fair and just peace.

Please continue your opposition to all entanglements whether it be in Asia or any other oversea country where we would only be ridiculed for becoming involved. As I am sure you know we have millions of hungry people right here in our good old U.S.A. The bread and soup line is getting longer and longer, even some women in it now right here in Portland, Oreg., so do all you can to stop spending any more money overseas.

No matter who started that mess, over there, Johnson could have pulled out with clean hands since we all know he did not start it but he failed to do that and has now got himself in clear over his head so

will be blamed for all of it. Let's let the world know there are a lot of people here that talk peace and mean it.

Yours respectfully,

FRANK H. ANDERSON.

FIRST BAPTIST CHURCH,
Holden, Mass., April 8, 1965.

Hon. WAYNE L. MORSE,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: While, as a Democrat and a resident of the State of Oregon, I do not always agree with your political stance, I am writing today to express my appreciation to you for your courageous and reasoned stand relative to the "war" in Vietnam. It seems to me that the United States clearly is in the wrong in pursuing its policy there.

I am a candidate for the ministry and a student at Andover Newton Theological School. While I will be unable to join a march on Washington on April 17 to urge the Congress and the President to press for immediate negotiation and cease-fire in Vietnam, my sympathies are certainly with the march and with your position.

I urge you not to be pressured by those favoring our present position, including the minority leader. You have a good many supporters in the colleges and seminaries of Boston.

Sincerely,

DOUGLAS W. CRUGER.

Senator MORSE: Points you may wish to make relevant to the Rusk speech to Society of International Law, and otherwise:

1. We are embarked on the road to becoming the world's most hated people.

2. This is because we have finally managed to combine pious righteousness with power. Heretofore we have been morally sure of ourselves, but never sure of our power. Now we are sure of ourselves.

One is reminded on the exchange: "Only fools are positive." "Are you sure?" "I'm positive."

3. Secretary Rusk sought in his international law speech to compare the present aggression in Vietnam, with the Hitler aggression. This carries historical analogy to the point of absurdity:

(a) Communist China is not Hitler Germany.

(b) Most of the world perceived the danger of Hitler; only the United States perceives the danger of China.

(c) Germany was a great industrial power; China is not.

(d) Germany threatened the sources of Western Civilization; Communist China does not.

(e) And furthermore, we're not fighting China.

(f) We didn't belong to the League of Nations; we do belong to the United Nations.

4. Someone has lost his perspective; either the President and the Secretary of State and the Secretary of Defense, or the American people, a majority of the Members of the Senate, and most of the nations of the world.

5. I shudder what would be happening now if Mr. Goldwater had been elected President and embarked on this course of action. He would be torn to pieces by the Senate.

ADDRESS BY VICE PRESIDENT HUMPHREY AT DUKE UNIVERSITY

Mr. ERVIN. Mr. President, on April 24 the Vice President of the United States delivered an address before a gathering at Duke University, in Durham, N.C. The remarks of the Vice President on that occasion deserve the thoughtful consideration of all Americans. For this reason I ask unanimous consent that the speech of the Vice President at that time be printed at this point in the RECORD.

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

REMARKS OF VICE PRESIDENT HUBERT H. HUMPHREY, DUKE UNIVERSITY, APRIL 24, 1965

My fellow students, my theme today is this: "What Can We Americans Ask of Each Other in 1965?"

Where are we bound in life?

What is our place in the world?

It was only 30 years ago that millions of Americans asked of each other: "Brother, can you spare a dime?"

Our great friend Carl Sandburg tells about those times:

"The man in the street * * * lives now
Just around the corner from you
Trying to sell the only thing he has to sell,
The power of his hand and brain
To labor for wages, for pay, for cash of the realm.
And there are no takers, he cannot connect."

No, my fellow students—and we are all students in this world, for the learning process never stops—no, there were no takers then, and there were millions of us who could not connect.

I saw all of it as a young man—a young man the age of most of you in this audience. I saw my neighbors and people in South Dakota losing their farms, their businesses, their health, their hope.

All we had was dust and desperation. We didn't worry much then about "have you gone Cunard in the off-season?" "Why is the Fastback the most exciting news in America?" "Have you cleaned with a White Tornado?"

No. We worried then about shelter, clothing and holding onto work and life.

Thank God those times are past.

But to my generation they will always be fresh and real. And a reminder that our precious democratic society once tottered on the edge.

This Nation 30 years ago was divided, deeply divided: Have and have-not, business and labor, North and South, black and white, farm and city, left and right. But in face of disaster and revolution we united—united, I might add, under brilliant leadership—to face our common foes. First, economic crisis at home. Then, totalitarianism and barbarism abroad.

We did not have to be asked what we could do for each other and for our country. We had to fight for survival.

Most of you here today were born after those crises had passed. You have lived in time of prosperity. You have not known what my generation knew.

But your young generation has not turned inward on itself or satisfied itself with material pleasures.

You have responded to the needs of these times and you have done it in magnificent fashion.

You are the volunteer generation.

There are now 10,000 volunteers serving in the Peace Corps with more than 3,000 already returned and another 100,000 waiting for their chance to participate.

When VISTA—the Volunteers in Service to America—was launched, there were 3,000 inquiries on its first day of business.

And I know that in most of the minds here today there is the question: What can I do to serve my country and my fellow man?

President Lyndon Johnson held his first Presidential appointment at 27 and his first political office at 29. As he has said:

"No one knows more than I the fires that burn in the hearts of young men who yearn for the chance to do better what they see their elders not doing well * * * or not doing at all."

Old men dream dreams, but young men see visions.

Today in our country there is a vision of a Great Society.

The nature of this vision has much to do with my question here today: What can we Americans ask of each other in 1965?

In this time of prosperity, is the Great Society to be a welfare state? Some may think so. But that is not the vision of President Johnson. Neither is it my vision.

We see the Great Society as a state of opportunity.

No government owes every man a living. But a just government of, by and for the people does owe every man an opportunity to enjoy the blessings of life.

The Great Society is based on the proposition that every man shall have that opportunity.

If you examine the legislative program in this Congress; if you listen to the words of our President; if you look into your own heart you cannot escape the conclusion that we are succeeding, we are breaking through in our efforts to provide all American men and women with that precious opportunity.

Some, once receiving it, may squander it. But all Americans must have the chance—a chance now denied to many—to make something better of their lives and the lives of their children.

Only a few days ago this Congress passed a great bill which is a basic investment toward achieving that equality of opportunity: the Elementary and Secondary Education Act. Thomas Jefferson was right. We cannot be both ignorant and free.

This act in itself is accomplishment enough to satisfy an ordinary Congress. But it will be followed soon by passage of the higher education bill.

These bills together will help build classrooms. They will provide funds for libraries and textbooks and teaching materials. They will provide funds for research in teaching techniques and development of community education centers.

They will above all, I hope, give new inspiration to teacher and student alike in the exhilarating experience of gaining and using knowledge. (And may I digress for a moment to say that true education depends more than anything else on the quality of teaching. I may be venturing here into dangerous ground, but I must say that there must thus be an appropriate balance between research and teaching.)

The education bills passed by this Congress will contribute to the long-term, lasting health of this Nation. So will a dozen other bills which will come from this Congress, acting out the will of the American people.

For the American people, in unprecedented peacetime consensus and unity, have made known their purposes.

We today stand united as Americans in agreement:

That all Americans shall have truly equal education.

That all Americans shall have truly equal voting rights.

That we shall provide adequate medical care to our people.

That we shall make our cities better places in which to live and work in safety and health.

That we shall preserve this Nation's beauty, history, and natural resources.

That we shall open our doors again to immigrants who can enrich and lend new vitality to our national life.

That we shall help our urban and rural Americans alike adjust to technological revolution and social change.

That we shall not drop the torch of international leadership.

For there are voices in America today which say that America is overextended in the world; that other people's problems needn't be our problems; that we ought to close up shop overseas and enjoy our fruits here in the good old U.S.A.

When that time comes, this Nation is doomed.

Who in the world will work for democracy if we do not?

Who in the world can preserve the peace if we do not?

Who in the world can set the example, can offer the needed hand, if we do not?

We live in a time when everything is complex, when there are no more rapid and easy answers. We live in a time when we must exert our patience as never before.

Let me spell it out: Have we the patience, for instance, to work, sacrifice, and bleed 5,000 miles from home—in Vietnam—for months and perhaps years ahead without guarantee of final success? I can tell you that the forces of totalitarianism have that patience.

For the forces of totalitarianism do not plan to blow the world to pieces. They plan to pick it up piece by piece as we progressively tire and withdraw.

But, as President Johnson declared in his historic speech at Johns Hopkins University;

"We will not be defeated.

"We will not grow tired.

"We will not withdraw."

We will not sacrifice small nations in the false hope of saving ourselves. We will defend the cause of freedom wherever it may be threatened.

But at the same time, with equal determination, we will pursue each possibility of lasting and just peace. The pursuit of peace resembles the building of a great cathedral. It is the work of generations. In concept it requires a master architect; in execution, the labors of many. It requires patience.

Thus I call on you as the generation coming to leadership to be strong and persevering: strong in defense of justice and in opposition to tyranny—persevering in seeking a goal of peace for all men.

I return then once more to my question: What can we Americans ask of each other in 1965?

I am essentially a religious person. I am not ashamed of it. I believe that God created man in His own image. I believe that there is a spark of the devine in every person. And I believe in the meaning of human dignity.

My fellow students, the big struggle in the world—and at home—today is not over the forms of production. Those shift and change. The struggle is about man's relationship to man and man's relationship to a higher and nobler force.

I say that what we can ask of each other is this:

To fight poverty because poverty destroys the human spirit and human dignity.

To fight discrimination because it violates the precepts of our democratic society and Judeo/Christian ethic.

To pursue justice because it is basic to our religious and ethical heritage.

To pursue an honorable peace because it is the greatest gift we can give to our children.

So that there can be no question that man—and not the state—is the most important thing worth preserving in this world.

We can do it. It is within our grasp—perhaps for the first time in history.

Yes, the first step toward these things is the longest journey. And we have made that step. And the second step. And now we take a third.

We are privileged each year, each decade, each generation in our time to take a new step.

How fortunate we are to live in this dramatic and creative period of change, of challenge, of opportunity How great is our responsibility to achieve excellence of mind and spirit to do the tasks that must be done.

I appeal, therefore, to you the generation of 1965:

Make no little plans.

Have not little dreams.

Do not set your standards and goals by those of your mother and father.

Do not set your standards and goals by those of this time.

Challenge the impossible. Do what cannot be done.

Thirty years ago it was "Brother, can you spare a dime?"

Today we reach the stars.

My friends, I ask of you: Believe in the perfection of man; make a better life for our people; save the peace; build a Great Society to last for generations beyond us.

SMITHSONIAN INSTITUTION

Mr. PELL. Mr. President, relevant to our consideration of pending legislation to benefit the arts and humanities in the United States is the fact that the secretary of the Smithsonian Institution is included on the Federal Council on the Arts and the Humanities proposed in S. 1483, the administration bill which I had the privilege of introducing in the Senate on March 10.

The Federal Council would act in an advisory and coordinating capacity with the proposed National Endowment for the Arts and the proposed National Endowment for the Humanities, and would similarly promote coordination between the programs and activities of these two endowments and the related endeavors of other Federal agencies.

The Smithsonian Institution is importantly concerned with activities which involve both the arts and the humanities; and I believe that its Secretary, Dr. S. Dillon Ripley, is highly qualified to contribute most significantly to the proposed Council's work.

Dr. Ripley has added new dimensions of leadership and new vitality to the Smithsonian's founding principle "for the increase and diffusion of knowledge among men."

In a recent article by D. S. Greenberg in Science magazine, Dr. Ripley is quoted as stating:

The great strength of the Institution is its ability to renew itself at its own springs and sources.

He envisions the Smithsonian as becoming a center for research and scholarship within the next decade.

Furthermore, he views the Smithsonian as evolving into "an institute for advance study that will assemble and use collections for research, rather than viewing collections as an end in themselves."

I believe that Dr. Ripley personifies the leadership and talent needed to bring these goals into being.

The proposed national foundation to stimulate our Nation's progress in the arts and humanities would involve the principles of mutual cooperation. I believe it would benefit from the advice and assistance of Secretary Ripley, and that in turn the Smithsonian, as well as the other related Federal agencies, would benefit from the endeavors of the foundation.

Mr. President, to help us better understand the present and varied activities of the Smithsonian Institution, its dynamic and progressive Secretary and his aspirations for the Institution, I ask unanimous consent that the article to which I have referred be included at this point in my remarks.

This article relates primarily to the scientific aspects of the Smithsonian. The history of science is an important part of the humanities. This article tells how history can be used creatively as well as instructively.

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

SMITHSONIAN: UNDER NEW SECRETARY IT IS SEEKING TO REGAIN PLACE AS CENTER FOR SCIENTIFIC RESEARCH

(By D. S. Greenberg)

For millions of laymen, and probably for the bulk of the scientific community, too, the Smithsonian Institution is best known as a wondrous repository of historic artifacts and natural curiosities.

It contains John Glenn's space capsule, a mounted bull elephant at the gallop, a cube of uranium from the 1st atomic pile, a 19th-century apothecary shop, Lindbergh's *Spirit of St. Louis*, gowns of every First Lady, a 92-foot replica of a whale, the Hope Diamond, several shrunken heads, a virtually complete collection of all coins struck in Newfoundland between 1865 and 1947, and some 59 million other items—a fraction of 1 percent of them on display and the rest in storerooms and workrooms. In 1953, 3½ million persons visited the Smithsonian. Last year the Smithsonian was host to some 14 million at its various public buildings and displays, which include the Museum of Natural History, the Museum of History and Technology, the National Air Museum, the National Zoological Park, the Freer Gallery, and the National Gallery of Art. The volume of visitors not only makes the Smithsonian one of the most popular institutions in the world but, in the Federal Establishment, of which it has been a part since 1846, it probably ranks just behind the post office as a personal acquaintance of the American people.

Thus, the Smithsonian is renowned as a showplace, and by and large is regarded as no more than a showplace. But the fact is that the Smithsonian is vastly more than a wondrous repository, for in the history of American science it has periodically gone beyond its function of collector and exhibitor to play a uniquely creative role as a stimulator and organizer of research, and, more importantly, as a counterweight when the balance of the Nation's research effort has gone askew. And at the moment, under the leadership of a new chief executive, S. Dillon Ripley, a distinguished ornithologist who became Secretary of the Smithsonian in February 1964 after 4 years as director of Yale's Peabody Museum of Natural History, the institution is once again working its way toward a period of creative influence in the direction and scope of scientific research.

In examining the Smithsonian's current aspirations and potentialities in scientific research, it is useful to look briefly at the traditions that both bind and inspire the institution. Of the Smithsonian it can be said that, if it did not exist, no one could possibly invent it, for in history, structure, and performance there is nothing like it to be found anywhere. It originated with the bequest of an illegitimate, unmarried, and wealthy British chemist, James Smithson, who died in 1829, leaving no close relatives and a will that stated, "In the case of the death of my third nephew * * * I then bequeath the whole of my property * * * to

the United States of America, to found at Washington, under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men." Seventeen years later, the last of Smithson's heirs died, leaving an estate of $500,000. Then followed a decade of politicking and bickering over what the United States should do about Smithson's curious bequest. In Congress, anti-British feeling and an aversion to Federal involvement in research and education produced some opposition to acceptance of the gift. John C. Calhoun, leading the opposition in the Senate, was quoted as saying that he considered it beneath the dignity of the United States to receive presents of this kind from anyone. And a colleague added the warning that if Smithson's will was fulfilled, every whippersnapper vagabond that has been traducing our country might think proper to have his name distinguished in the same way.

But a free half million dollars wasn't easily dismissed, and after the patriotic oratory was delivered, Congress voted to accept the money, thereby opening the way for years of fighting over what specifically should be done to implement Smithson's desire for an "establishment for the increase and diffusion of knowledge among men."

Some favored setting up no more than a library; John Quincy Adams wanted to use the money for an observatory; others favored the establishment of a graduate school for teachers; and still others thought that the issue could best be resolved by sending the money back to England. Meanwhile, this country had been through a long and unsuccessful experience with efforts to encourage research and exploration through a National Institute for the Promotion of Science. This Institute, chartered by Congress but existing on the periphery of government, eventually foundered from lack of support, and by 1844 attention concentrated on Smithson's bequest. The fighting resumed, but within 2 years the differences were compromised. The Smithsonian would function as a library and a museum, but it clearly wasn't barred from other activities. Under the direction of a Board of Regents appointed by the Congress, it was to function "according to the will of the liberal and enlightened donor"—which came to mean that it could employ its discretion in choosing fields of activity.

That it would seek preeminence in the sciences was quickly established by the Board of Regents, which resolved that the Secretary—whose duties were scarcely defined in the founding legislation—should be a person possessing "eminent scientific and general acquirements capable of advancing science and promoting letters by original researches and effort." The Regents added that the Secretary should be "worthy to represent before the world of science and letters the Institution over which the Board presides."

As far as its place in research is concerned, the Smithsonian has chosen its areas of responsibility with very special care throughout its long history. Under Joseph Henry, the physicist, who became the Smithsonian's first Secretary, the Institution evolved a style of functioning both as a stimulus to research and as what might be called a filler of gaps in American science. Henry decreed that the Smithsonian's goal in science would be to produce only those results "which cannot be produced by the existing institutions in our country." The Institution would remain small, and it would not attempt to become a holding company of American science. The projects it initiated would be turned over to other organizations if they were prepared to accept them. The products of this policy are to be found throughout the history of the Nation's scientific establishment; they include such prominent examples as the Weather Bureau, which grew out of Henry's promotion of meteorological research. When geological research became entangled in political fights, Henry and the Smithsonian provided a refuge for what eventually evolved into the Geological Survey. Under Henry, the Smithsonian, with its "Contributions to Knowledge," promoted scientific publishing in this country, and its naturalists regularly accompanied exploratory and rail-building parties for systematic studies of the West before mass migrations began.

This tradition of performing many scientific functions which, for one reason or another, were being neglected by other institutions was carried into this century by Henry's successors. For example, around the turn of the century, Secretary Samuel P. Langley made the Smithsonian a center for aeronautical research, and out of his efforts there developed the National Advisory Committee for Aeronautics, from which there eventually evolved the National Aeronautics and Space Administration.

Thus, history records for the Smithsonian a long and distinguished series of accomplishments in scientific organization and research, but, with a few outstanding exceptions, the fact is that during the past few decades science has raced past the Smithsonian, and the influence that it once exerted on the American research scene is now very little in evidence. The reasons for this are obvious ones. During the postwar burgeoning of Federal support for research, some 75 percent of the funds for research have come from the Defense Department, the Atomic Energy Commission, and the Space Agency. For better or worse a heretofore unknown dynamism was suddenly injected into American scientific research and science organization, and there was little room in this vast and hurried scene for the low-keyed efforts through which the Smithsonian had earlier influenced science.

Furthermore, the Smithsonian, because of its role as a repository of the natural and biological sciences, found itself heavily involved in fields that were not considered fashionable by the granting agencies, universities, and young researchers. Systematic biology is fascinating and intellectually rewarding for its practitioners, but a poorly conceived project in molecular biology probably stands a better chance of getting financial support than an excellent one in taxonomy.

Finally, in looking for reasons for the Smithsonian's decline as a scientific establishment, it must be noted that during the past decade the Institution has concentrated its attention and resources on its role as a museum, with enormously successful results. A building program in excess of $50 million has produced a monumental new Museum of History and Technology, two large new wings for the Museum of Natural History, a 10-year program to rebuild the zoo, and an effort to improve the display of all exhibits throughout the Institution.

While this building program has been in progress, the Smithsonian's efforts in the sciences have tended to concentrate on service functions for other organizations. In recent years these have included the operation of an oceanographic sorting center, which has come to play a vitally important role in cataloging and distributing the results of oceanographic research. The Smithsonian also operates a Science Information Exchange, which has been struggling, amidst a good deal of indifference on the part of Federal agencies, to become a central source of information on research projects in the life and physical sciences.

The building and service programs, carried out during the secretaryship of Leonard Carmichael, who retired last year after 11 years as head of the Institution, were not altogether at the expense of research; but those parts of the Institution that excel in research generally have had to obtain their support from outside sources. For example, the Smithsonian Astrophysical Observatory, at Cambridge, Mass., receives $1.2 million from the Smithsonian and about $4 million from NASA. The Division of Radiation and Organisms has done a remarkable job of scavenging surplus equipment from other Government agencies; about one-fifth of its $340,000 budget comes from the Atomic Energy Commission, and some of its most important facilities were obtained with a $50,000 gift from the Research Corp.

But outside of these and a few other exceptions, it must be said that, when Ripley became Secretary 13 months ago, the status of scientific research at the Smithsonian was deplorable. As one of the Institution's 300 scientists put it, "It became very easy to vegetate here, and I think a lot of us did." "Now," he said, referring to Ripley, "things are changing." Previously, another scientist explained, budgets for research were once so tight that "I had to save old mayonnaise jars to preserve specimens." Clerical and subprofessional help were in such short supply, another added, "that a lot of researchers spent most of their time typing labels and keeping up the card files." Research programs often had to take second place to assisting with the preparation of public exhibits.

A lot of Smithsonian scientists quite obviously found it not at all uncomfortable to exist in this drowsy atmosphere, and a good number of them appear to have been profoundly disturbed when Ripley arrived and started to make the place over with a vigor that was a bit reminiscent of the way Robert S. McNamara shook up the Defense Department. But now it is probable that a poll at the Smithsonian would produce a nearly unanimous endorsement of Ripley's designs for returning the Institution to a position of influence in American science.

His efforts can best be described in terms of his grand design and the immediate steps that he is taking to implement it. The Smithsonian, he stated in a recent memorandum, "is free to concentrate on needs that were not immediately obvious in the first years of the Nation's rather frantic progress toward present levels of scientific activity. One unfortunate result of the rather rapid growth in financial support for scientific research has been the concentration of universities on courses of work where effort could be most rapidly mobilized. These project grant system has given to the current fashions in science an influence that they could never have achieved on the basis of their inherent intellectual merit. Complex natural systems have been too largely neglected in favor of simpler experimental ones in biology, for example. Such fields as anthropology, where it often seems that insights appear by slow ripening rather than in sudden intuitive flashes, tend to fall into neglect.

"The Smithsonian's scientific commitments tend to be in those classical fields most readily abandoned by the volatile spirits of 'modern' science—anthropology, environmental and systematic biology, and astronomy. And yet, in the latter, the efforts of the Smithsonian have recently been rewarded by the lustrous reputation and scientific achievements of the Smithsonian Astrophysical Observatory. The most urgent objectives of our present efforts are to achieve comparable results in biology and anthropology."

That being the grand design, as far as it has been formulated, the specific steps for its implementation have been concentrated on two points, both aimed at a long-range objective of having the Institution ultimately evolve into what Ripley describes as "an institute for advanced study that will assemble and use collections for research, rather than viewing collections as an end in themselves." The steps toward this goal call for the internal strengthening of the Smithsonian's research capabilities and, closely tied

to this, the establishment of an intimate working relationship between the Smithsonian and the university research community. To build up the internal structure, Ripley is rapidly enlarging the Institution's subprofessional staffs to free the research staff from the clerical chores that have come to dominate many of their working days. For example, the Department of Entomology, with 13 professionals and a collection of 17 million specimens, now has 2 technicians. Ripley plans to expand the subprofessional staff to 8 or 10. He has devised a broad program of fellowships for undergraduate and pre- and post-doctoral studies, designed to bring students into the Institution to perform research under and in conjunction with the staff.

Similar arrangements for students have existed in the past, but on a very small scale and not in all departments. In addition, the Institution is exploring or has worked out cooperative arrangements with a number of universities, including Johns Hopkins, Duke, the University of Maryland, and the University of Kansas. Under these arrangements, it is expected that students from these universities will spend some time in residence at the Smithsonian, and Smithsonian staff members will be given leave to teach and conduct research at the universities.

Ripley has also established, but not yet filled, the positions of Assistant Secretary for Science and for the Humanities; he has established an Office of Systematics, and an Office of Ecology, and has combined the Institution's various anthropological activities under a new Office for Anthropological Research. And he has done such small, but important things, as arranging to keep the library open at all hours for the staff. Previously it was closed nightly at 10 p.m. and during weekends. (When Ripley arrived at the Smithsonian, he found many curious practices in effect. For example, as Secretary he was required to sign all checks for supplies and services—about 1,500 a month. One of these included a 7-cent refund to Harvard. It took 4 months of negotiations with the U.S. Treasury to transfer this function to a check-signing machine.)

"The great strength of the Institution," Ripley said in a recent interview, "is its ability to renew itself at its own springs and sources. In the early days, we were a research institute, in contrast to the colleges that then existed. The levels have risen, and now it should be our function to serve as an institute for advanced study.

"Where would I like to see the Smithsonian 10 years from now? I would like to see it as a center for research and scholarship. I would like to see our collections used creatively and across disciplinary lines. You know, a skillfully presented anatomical exhibit can be as meaningful as a book. Collections should be a tool; they should not rule you.

"There are many contributions that we are uniquely equipped to make to contemporary science. Our young people have been led to believe that systematic and environmental biology are exhausted fields. I think it is criminal that this impression is being sold to them. There are vast areas about which we know little or nothing. Throughout the world, more and more genetically distinct systems are being eliminated by man-made environmental changes before we have a chance to study them. The Smithsonian pioneered in studying our West before it was overrun by man; I would like us to lead the way in studying the tropics, where vast man-made changes are now in the works, before whole species are eliminated without our ever having known of their existence.

"I think we are the organization to do this. But we cannot do it until we begin to think of ourselves as a research institution. We should not be dominated by our collections, or 'in' boxes, or the scientific apathy that settled on this place."

In his quest to restore the Smithsonian to an influential position in scientific research, Ripley is the beneficiary of a number of fortunate circumstances. First of all, universities have pretty well dropped out of systematic biology—to a large extent simply because of the amount of space required for useful collections—and, as a result, the Smithsonian's efforts to expand in this area do not threaten any existing institution. In addition, no Government agency has any reason to feel threatened by the Smithsonian's ambitions; to the contrary, some of the research-supporting agencies feel a bit guilty about having neglected the area of concern staked out by Ripley, and they are happy to see someone come forward to do something about it. Finally, the Smithsonian enjoys a unique relationship with Congress, and Ripley can reasonably count upon congressional support for his request to raise the Institution's annual appropriation for operations from the present $15.4 million to $20.8 million. (The Institution also received $8.4 million in grants and contracts last year, as well as separate funds for its long-range construction program.)

The basis of the Smithsonian's good relationship with Congress rests on the fact that Congress tends to think of the Smithsonian as its own charge, rather than as a branch of the executive. The Institution's Board of Regents is appointed by joint resolution of Congress, and in recent years the Regents have included the chairman of the House Appropriations Committee and the chairman of the subcommittee that handles the Smithsonian's budget. Furthermore, like museums in most large cities, the Smithsonian plays something of a chic role in Washington social life. When it opened a new birdhouse at the zoo last month it marked the occasion with a black-tie reception which a large part of official Washington happily attended.

It also appears that official Washington has taken a liking to S. Dillon Ripley. He has a degree of urbanity, wit, and fine tailoring that is not commonplace in the trade of science administrator. One of his first moves was to restore to mid-19th-century decor the executive suite that once served as Joseph Henry's home in the Lombard Romanesque Smithsonian "castle" on Washington's Mall. It now contains a rolltop desk for one of Ripley's secretaries, wooden shutters, victorian chairs in red damask and patterned velvet carpets specially woven from period patterns, a Tiffany clock, and burnished brass and glass chandeliers. The ladies, and not a few of the men, of official Washington love it, and, to a remarkable extent, they seem to be under the spell of the man who brought it about and who plans to restore the Smithsonian to the place of influence that it once occupied in American science.

Mr. PELL. Mr. President, through its century and one-quarter of activity as the national museum of the United States, the Smithsonian Institution has developed outstanding collections and unique facilities for study. It is a repository of our history as a nation and of our cultural life. In the scientific field, the vast collections of organisms from the sea and farthest reaches of the earth form the basis for the study of species biology. Many of these collections have been built through the generosity of our citizens and they constitute a great national treasure. Only a small part is on display in the museum buildings; the remainder is for reference and study. Consequently, I applaud the Smithsonian's efforts to open these great reserves to students and research scholars from the colleges and museums of the United States. As long ago as 1901 Congress passed legislation to provide "that facilities for study and research in the Government Departments, the Library of Congress, the National Museum, the Zoological Park, the Bureau of Ethnology, and similar institutions hereafter established shall be afforded to scientific investigators and to duly qualified individuals, students, and graduates of institutions of learning in the several States and territories"—31 Stat. 1039; 20 U.S.C. 91.

Since that time the National Academy of Sciences has taken leadership in sponsoring programs for visiting investigators in Government research centers. The Smithsonian now proposes to participate in the National Academy program for senior visiting research associates to conduct research in facilities of the Institution for 1-year terms of study. Funds have also been requested to permit graduate students to come to the Smithsonian to complete doctoral dissertations and to offer training in the latest techniques to specialists from museums all over the Nation.

ASSISTANTS FOR RESEARCH STAFF

The research staff of the Smithsonian works behind the facade of exhibits and displays, producing the new knowledge upon which the Smithsonian's program of education for all the people is based. Often the Smithsonian investigator is the only specialist on a group of organisms or artifacts in the country. I have been glad to learn that the Smithsonian generously maintains these talented scholars and specialists as an information service to the world, answering letters from young people, identifying plant pests sent by State agricultural services, and assisting members of the public with answers to questions of every kind. However, the point has been reached at which these services severely diminish the amount of time that scientists and scholars are able to devote to the employment of their highest skills in the specialties which they alone can practice. Rather than contemplate any reduction in service to the public, the Smithsonian is now seeking to utilize technical aids to support research and docents to assist in preparing public information. By training and employing 18 clerk-typists, 83 museum aides and life-science technicians, and 8 administrative assistants the Smithsonian has proposed to meet demands for public service without sacrificing the scarce talent of its professional research staff.

Since its beginnings in the first half of the last century the Smithsonian Institution has been a powerful contributor to the intellectual traditions of the United States and to the quest for knowledge throughout the world. I am especially pleased, as chairman of the Smithsonian Institution Subcommittee, to note that the eighth Secretary, Prof. S. Dillon Ripley, is continuing these cherished traditions.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment of the Constitution of the United States.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS] numbered 82, to the committee substitute.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

Mr. BAYH. Mr. President, S. 1564 was introduced in response to a fundamental need, a need related to the heart of our form of government. Its purpose is clear. It is designed to secure the right to vote to all qualified citizens wishing to exercise this right. It was proposed only when experience had taught us the inadequacies of prior laws. While this experience has been frustrating, it has also been enlightening. From it we have learned. It has sharpened our focus and enabled us to devise a bill which will effectively deal with the principal methods of discrimination which have been encountered.

Three times in this last decade—in 1957, 1960, and in 1964—we have enacted legislation which committed to the courts the burden of providing a cure for this problem. Some advances have been made: In some areas, Negroes have been permitted to participate in the electoral process in response to court orders. Yet, in relation to the need, the progress has been too slow. Let me illustrate.

On July 6, 1961, the Department of Justice filed a complaint seeking an injunction against discriminatory practices by the registrar of Clarke County, Miss. At the time this suit was filed, 76 percent of the white voting age population was registered to vote. Not a single Negro out of 2,998 Negroes of voting age was registered.

On December 26, 1962, nearly a year and a half later, the trial began. The evidence demonstrated that several highly qualified Negroes, including a school principal, had not been allowed to register. Illiterate and semiliterate whites had been registered. While Negro applicants were sent home "to think over their applications," white applicants merely had to "sign the book" for themselves and their spouses. No test whatever was administered to the white applicants.

On February 5, 1963, the district court found discrimination against Negroes and massive irregularities in the registration of white persons. The court granted an injunction but failed to find that discrimination had occurred pursuant to a "pattern or practice," a finding which precluded the use of the voting referee provisions of the 1960 Civil Rights Act. The court also refused to require the registration of Negroes whose qualifications were equal to those of whites who had been registered.

The relief granted by the court was not enough to cope with the deep-rooted discrimination in Clarke County, Miss. Six months after the court enjoined the registrar from discriminating in the registration of Negroes, the percentage of Negroes registered had risen from zero percent of the voting age population to 2.2 percent. Only 64 out of 2,998 Negroes of voting age had been registered.

The Government appealed. On February 20, 1964, the court of appeals expressly approved of the denial of equalization relief; that is, relief requiring the registrar to register Negroes whose qualifications were equal to those whites who had been registered; a type of relief subsequently approved by the court of appeals and the Supreme Court. The court of appeals modified the district court judgment in some minor respects. And on petition for rehearing, the court held that the district court's refusal to find a pattern and practice of discrimination was clearly erroneous. The case was remanded to the district court.

Three and one-half years after this suit was brought, the district court amended its order, not to find that there had been a pattern or practice of discrimination, but to withdraw its previous ruling on the point and to make no finding at all. This again precluded resort to the voting referee machinery of the 1960 act. And again, the district court denied equalization relief.

The Government's second appeal is presently pending. Thus, nearly 4 years after suit was brought, the suit is still in the courts, and no effective relief has been obtained.

Mr. President, that is only one of many instances which adequately portray the tenuous process which must be followed under the present laws on the statute books.

The result has been this: In Alabama, in 1964, approximately 18.5 percent of voting-age Negroes were registered to vote. This was an increase of only 8.3 percent since 1958. In Mississippi approximately 6.4 percent of voting-age Negroes were registered in 1964. This is to be compared to 4.4 percent 10 years earlier. In Louisiana Negro registration appears to have increased only one-tenth of 1 percent between 1958 and 1965.

Thus, reliance upon judicial remedies has not succeeded. S. 1564 is our answer to a century of experience. While it is comprehensive, it is simple. It suspends the use of the tests and devices, which have been the principal instruments of racial discrimination in the voting process; it forbids enforcement of a new discriminatory law as soon as the old one has been vitiated; and it outlaws the poll tax when it is used in such a discriminatory manner.

Today I will explain why the suspension of test and devices is an effective yet most reasonable means of dealing with the discrimination problem, and why the method of suspension provided for in this bill is the most satisfactory approach.

Unless there is a suspension by court order—as provided in section 3 of the bill—three determinations must be made before a test or device is suspended.

First, the Attorney General must determine that a State or political subdivision of a State maintained a test or device, as defined by the bill, on November 1, 1964, as a qualification for voting.

Second, the Director of the Census must determine that less than 50 percent of persons of voting age, excluding aliens and military personnel and their dependents, residing in any such a State or political subdivision were either registered to vote on November 1, 1964, or voted in the presidential election of 1964.

Third, the Director of the Census must also determine that more than 20 percent of persons of voting age were nonwhite according to the 1960 census.

The evidence not only lays a rational foundation for this "three factor" formula; I believe the evidence compels its adoption:

First. The Department of Justice submitted to the Judiciary Committee evidence of racial discrimination in the voting process in the five States in which tests and devices would be suspended—Alabama, Georgia, Louisiana, Mississippi, and South Carolina. Most of the Federal litigation effort has been directed toward those areas where discrimination is most severe—Alabama, Louisiana, and Mississippi.

Thus far, the Department has instituted 40 voting suits under 42 U.S.C. 1971(a) in those States; 12 in Alabama, 22 in Mississippi, and 14 in Louisiana. Not a single one of the 26 finally terminated has been concluded without a finding of racial discrimination. To be precise, in the eight suits which have been decided in Alabama, in the nine suits which have been decided in Mississippi, and in the nine suits which have been decided in Louisiana, the courts found that there was racial discrimination in the voting process and that this discrimination was effectuated by the use of tests or devises in violation of the 15th amendment. And in each of these cases since the 1960 act where the pattern and practice issue has been formally adjudicated, discrimination has been found to be pursuant to such a pattern and practice, and not just an isolated instance.

Second. Registration and voting statistics themselves are revealing. In the presidential election of 1964, 62 percent of the voting age population voted. Excluding aliens and military personnel and their dependents from the voting age population, only seven States had less than 50 percent electoral participation in the 1964 presidential election. Six of these seven employed tests or devices on November 1, 1964. Registration statistics for these six States—Alabama, Georgia, Louisiana, Mississippi, South Carolina, and Virginia—indicate striking similarities among them.

In each there is a large nonwhite population. Only in Virginia is less than 20 percent of the voting age population nonwhite—18.9 percent. However, 43 out of 130 political subdivisions in Virginia

are affected by the bill. In each of the States affected by the bill there are great disparities between the percentage of white persons of voting age and the percentage of nonwhite persons of voting age registered to vote. In each there is a clear and direct correlation between the low electoral participation in the presidential election of 1964 and the low percentage of nonwhite persons registered to vote.

The registration and voting statistics in the counties in which lawsuits have been brought and in which determinations of discrimination have been made reveals a similar pattern. In each there is a substantial nonwhite population. In each there is a great disparity between the percentage of white persons of voting age and the percentage of nonwhite persons of voting age registered. And in each there was low electoral participation in the presidential election of 1964. And, in each we know that low nonwhite registration which lead directly to low electoral participation resulted from the discriminatory use of tests and devices in violation of the 15th amendment. Thus, we know that the assumption of the triggering formula is correct.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. BAYH. I am glad to yield to the Senator from Louisiana.

Mr. ELLENDER. The Senator has made the direct statement that he knows what is happening in Louisiana and other States which he has named. Will the Senator tell us where he obtained his information? Was any evidence presented to the committee to indicate what the Senator has stated, or is it merely an assumption?

Mr. BAYH. If the distinguished Senator from Louisiana would require the meaning of the word "know" to be knowledge beyond the slightest scintilla of doubt, I would have to say that I do not know; but the evidence presented by the Department of Justice and the Attorney General, which has accumulated down through the years, would lead me to have a reasonable judgment that what I have stated is the case.

Mr. ELLENDER. Has the Senator studied the voting record of southern cities in the past 2 or 3 years?

Mr. BAYH. I have.

Mr. ELLENDER. The Senator knows that registration in most of the Southern States, particularly Louisiana, has been on the increase. The Senator knows that, does he not?

Mr. BAYH. Yes. Registration has improved.

Mr. ELLENDER. The Senator also knows, I presume, that so far as registration in Louisiana is concerned, only in a few parishes of my State has there been a little delay. We have had many nonwhite people registered. The Senator is familiar with the background of that situation, is he not?

Mr. BAYH. The Senator is aware that there are some areas in the Senator's State where great progress has been made, and there are other areas where very little progress has been made. It is our desire to stimulate the efforts in areas in which little progress has been made.

Mr. ELLENDER. I do not think the Senator is going to stimulate it; he proposes to force it. If the bill is enacted, it will mean that anyone, whether he is qualified or not, who presents himself for registration, will be registered. Does the Senator want that to happen?

Mr. BAYH. The Senator does not want that to happen. The Senator feels that what the Senator from Louisiana has stated would not be the case if a good-faith effort were made indiscriminately to apply the provisions of the State tests. It has only been when a State has discriminated that a State's prerogatives would be removed. Here we differ in judgment.

The results demonstrate to the junior Senator from Indiana quite clearly that there has been discrimination.

Mr. ELLENDER. On what does the Senator base his assumption? Is it on the fact that less than 50 percent of the registered voters voted in the last election? Is that the Senator's only assumption?

Mr. BAYH. I would be less inclined to use this as evidence than I would the great disparity in the registration between nonwhites and whites. I could also reinforce this point with specific examples of discrimination in the southern part of the country.

Mr. ELLENDER. The southern part of the country, but not Louisiana?

Mr. BAYH. Yes.

Mr. ELLENDER. As I pointed out in the debate some time ago, in at least 40 parishes in Louisiana Negroes have cast a large vote in the past 4 or 5 years. In some parishes, the proportion of nonwhite voters has greatly increased in the past few years.

It is only in parishes where the Negroes outnumber the whites by from 3 or 4 to 1 that there may have been some discrimination. I have said on many occasions that the reason for that is that there is much illiteracy among both black and white persons in those parishes. The white people who are now in control of the offices in that area—that is, sheriffs, clerks of court, and judges—fear that if the bill were enacted, everybody would be registered, whether or not he could read or write. In my opinion, that would be strictly in violation of the Constitution because, as I understand, the referees who would be appointed by the Commission, through orders from the Attorney General, would be selected, and the registration would not be at all in conformity with State law.

That is what I have been complaining about. I am hopeful that before the debate is over, something can be done to correct that situation.

On the second round, the committee proceeded to change the bill as a whole from its original form. The original bill was completely amended in some regards, particularly in reference to certain counties. The original bill provided that if the Attorney General found that a sufficient number of people were not registered, or failed to vote, or if the registration were out of proportion, then they would be under the bill. But as to other States and the several counties in North Carolina, a finding would have to be made by the judge, referees would then be appointed, and all applicants would be registered, their registration conformed with the State law. Why should there be such a distinction? One small group of States must prove their innocence and as to the others, the Attorney General would have to prove their guilt.

Mr. BAYH. I am tempted to answer the first part of the Senator's question by saying that it was only when those States had, by a continued practice—and here again, the Senator from Louisiana and I do not agree on what constitutes a continued practice—shown that they had not engaged in discrimination that they would come under this provision.

As to the sheriffs and the registrars, to whom the Senator referred, who were concerned that the provision would violate the constitutional right of the States to make the rules and the laws, it is unfortunate that the same sheriffs and registrars have not been as much concerned about the violation of the constitutional rights of the individuals involved under the 15th amendment. If they had not engaged in such discriminatory practices as they have engaged in for many years, this type of legislation would not be necessary; and I certainly wish it were not.

Mr. ELLENDER. But the Senator from Indiana concedes, does he not, that if the bill were enacted, the action of setting aside or suspending State laws would amount, in itself, to fixing qualifications by the Federal Government?

Mr. BAYH. I do. In the final analysis, we are not setting aside State law. Rather, State laws have been unconstitutionally administered throughout the years.

Mr. ELLENDER. But the fact that existing laws in the States would be suspended would mean that qualifications were being fixed by the bill. That is what would happen.

Mr. BAYH. I say in all sincerity to the Senator from Louisiana that, so far as I am concerned, this is a matter of last resort. I regret to see the Federal Government become involved. But law after law has not been broadened enough to strike at the injustice the bill is designed to correct; namely, to guarantee each American citizen the right to vote.

Mr. ELLENDER. As I read the 15th amendment and the cases that arose pursuant to its adoption, there is no inkling of anything that shows that there was the remotest intention of fixing qualifications under the 15th amendment. It is only where a person has been discriminated against on account of race that the 15th amendment comes into action. In those cases, it must be shown that there was discrimination at some stage of the voting process.

I wish to read the 15th amendment:

> The right of citizens of the United States to vote—

When we speak of voting, we mean someone who is qualified to vote.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. ELLENDER. If the Senator does not mind, I should like to finish reading the amendment.

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

As the Senator has just admitted, if the bill were enacted, it would mean that Congress was suspending and setting aside State laws and fixing qualifications. It is my judgment that there is no question that that would be directly in contravention of article I, section 2, of the Constitution, and also of the 17th amendment, which gives the States the right to prescribe qualifications for voting.

Furthermore, the bill is absolutely against a decision that was made by the Supreme Court of the United States in March 1965, which held in no uncertain terms that the right to determine who shall or shall not vote or register is within the province of the State, not the Federal Government, so long as there has been no discrimination because of race.

Mr. BAYH. The provisions of the bill, so far as the Federal Government preempting a State's right to set qualifications is concerned, apply only where the State's actions have been unconstitutional when they have been directed at depriving individual voters of the right to vote.

Mr. ELLENDER. That is correct in the event there has been discrimination. To me, that must be shown first. However, that is not proposed to be done in this case.

Mr. TYDINGS. Mr. President, will the Senator from Indiana yield?

Mr. BAYH. I yield to the Senator from Maryland.

Mr. TYDINGS. Mr. President, is not the point that the Senator from Indiana wishes to make that the so-called qualifications adopted by the States of Mississippi, South Carolina, Louisiana, Alabama, and Georgia—in which States we are primarily interested in this legislation—were not adopted until after the Civil War and after the adoption of the 15th amendment?

When the purpose of the qualifications is to deprive a person directly of the right to vote, then I think it falls under the purview of the 15th amendment. I think that is the guts of the bill.

Mr. ERVIN. Mr. President, will the Senator yield for a question along the line suggested?

Mr. ELLENDER. First, I should like to ask my distinguished friend from Maryland if he could give us the figure for Maryland.

Mr. TYDINGS. Today?

Mr. ELLENDER. No. For the same period of time that was mentioned in Louisiana.

Mr. TYDINGS. We never had a constitutional amendment to adopt a literacy test We had the grandfather clause which was perhaps just as bad.

Mr. ELLENDER. The Senator is correct.

Mr. TYDINGS. We had the same problems at that time.

Mr. ELLENDER. Exactly.

Mr. TYDINGS. We do not have them today—at least, we try not to. We do not have any recorded complaints, and the ratio of nonwhites to whites is substantially the same.

Mr. ELLENDER. You mean the population and everything?

Mr. TYDINGS. That is correct.

Mr. ELLENDER. That has occurred in the last 4, 5, or 6 years.

Mr. TYDINGS. Ten years.

Mr. ELLENDER. No. Four, five, or six years.

Mr. ERVIN. Mr. President, does not the Senator from Indiana know that the first State which adopted a literacy test was the Commonwealth of Massachusetts, and that the Supreme Judicial Court of Massachusetts stated that the reason Massachusetts adopted a literacy test was in order to have a literate electorate?

Mr. BAYH. I am sure that the Senator from North Carolina stated that correctly.

Mr. ERVIN. I state that as a fact. Can the Senator from Indiana explain to me why someone would infer that when Massachusetts adopts a literacy test—and maintains that literacy test—it is because the State wants its electors to be able to read and write; whereas, when North Carolina adopts a literacy test, the same person infers North Carolina adopted it for the purpose of discriminating against certain people? Can the Senator explain to me the logic in arriving at those two seemingly contradictory conclusions from the same premise?

Mr. BAYH. Without referring to the Senator's State, let me answer the question in this way. Any State has the right to pass a law saying that it shall require literacy. There is nothing wrong about that. But, whenever a State has such a law and, by the way in which it administers the law, manages to register those whites who are illiterate, but refuses to register literate nonwhites, then, it seems to me, we should correct this condition.

Mr. ERVIN. The Senator from Indiana made a statement a while ago with which I found myself in complete agreement. That was that the better test by which to determine whether there is any discrimination in voting is to refer to the registration figures rather than to the voting figures. I understood the Senator to say that that is a better test.

Mr. BAYH. The Senator from Indiana, speaking directly for himself, feels that this is a better test. However, I think the Senator knows that there is a great deal to be said for considering them together. Second, we have a great deal of difficulty in getting the figures to which the Senator refers. For some reason or other, they are not kept, they disappear, or they are hard to get hold of the figures.

Mr. ERVIN. The Senator from Indiana made a statement a while ago that he thought that the triggering apparatus of this bill was sound. I should like to lay down this premise as the basis for a question. According to the figures furnished to the Judiciary Committee of the House of Representatives by the Attorney General of the United States, the percentage of the adult population registered to vote in certain States was as follows: Arizona, 66 percent; Arkansas, 56 percent; California, 75 percent; Florida, 54 percent; Hawaii, 60.6 percent; Kentucky, 51 percent; Maryland, 70.6 percent; Michigan, 72 percent; Nevada, 67 percent; New York, 74.5 percent; Oregon, 75 percent; Tennessee, 72.7 percent; and Texas, 56.3 percent. The percentage of adult population registered in North Carolina, according to the figures of the Attorney General, exceeds that of the 13 States I have enumerated. North Carolina has 76 percent of its entire adult population registered.

North Carolina is purported to be covered by this bill. However, the other 13 States, which have less registration percentagewise, are not to be covered by the bill. Can the Senator from Indiana explain to me the logic of a bill that operates in that manner?

Mr. BAYH. The Senator should take a great deal of comfort in the fact that his State is one of those which, according to the statistics he has presented before the committee—to which I listened very carefully—is not presently discriminating. The Senator should take a great deal of comfort in the provision of the bill that would void the entire bill in such a case. All that would have to be done would be to go in and prove that there is no discrimination, and that would take care of it.

Mr. ERVIN. I take no comfort from the fact that North Carolina is said to be discriminating and Maryland is said not to be discriminating according to this bill, when in North Carolina the registration of the adult population is 76 percent, and in Maryland it is 70.6 percent.

I say that there is no logic in any bill which operates under those circumstances and condemns North Carolina and exonerates Maryland.

Mr. BAYH. Of course, the Senator from North Carolina and I agree on some things and disagree on others. I certainly respect the opinion of the Senator from North Carolina. But, it certainly is not the intention of the Senator from Indiana to be in favor of any legislation that will discriminate against North Carolina. I do not believe that the bill would discriminate against North Carolina unless discrimination is shown to exist there. If there is shown to be discrimination in Indiana or in North Carolina, then both States should be treated equally.

Mr. ERVIN. As the bill was presented to the committee, it condemned, without a judicial trial, more than one-third of North Carolina, or 34 North Carolina counties out of 100. That is one of the objections to the bill. These counties are condemned in the bill. They will remain condemned by this bill unless the officials travel by all of the courthouses in North Carolina and all through the State of Virginia, which are nailed shut by this bill, and come to the District of Columbia and prove their innocence. I say that North Carolina can take no comfort out of that, and neither can I.

I should like to ask the Senator some further questions about the trigger process. In the last presidential election, 48.6 percent of the total adult population of Beaufort County, N.C., voted, whereas only 31.7 percent of the adult population of Bell County, Tex., voted.

Will the Senator from Indiana explain to me why those figures give rise to a presumption that Beaufort County, N.C., is discriminating against the minority and Bell County, Tex., is not?

Mr. BAYH. Texas, for one, does not have a test or device. The evidence has been conclusive, at least to this Senator, that the test or device is the "gimmick"—if I may use that word for lack of a better word—which has been used for the devious practices that are involved in the discrimination process.

Mr. ERVIN. In other words, is the Senator telling me that if a State wants its citizens to be able to read and write as a prerequisite to voting, it is practicing discrimination, whereas if a State does not want its citizens to be able to read and write as a prerequisite to voting, it is not practicing discrimination?

Mr. BAYH. No; the Senator from Indiana does not adhere to that concept. The Senator from Indiana feels that, because we need to find a formula under which we can increase and speed up the opportunity for individuals to vote—to which there should be no roadblocks whatever—there is sufficient evidence available to show that where there are three conditions—a substantial number of nonwhite voting age population, test or device, and the low voter participation—there is sufficient ground at least to implement the provisions of the bill, from which any State or subdivision thereof can remove itself by merely showing nondiscrimination.

Mr. ERVIN. Let us see how that test or device provision operates. I call attention to the 18th Congressional District of New York State. New York State is one State that has a literacy test. North Carolina has a literacy test. Fifty-one and eight-tenths percent of the entire adult population in North Carolina voted in the 1964 presidential election. Only 46.7 percent of the adult population of the 18th Congressional District of New York voted in the 1964 presidential election.

Yet, under this bill, North Carolina is condemned, whereas the 18th Congressional District of New York is excluded from the coverage of the bill.

Will the Senator explain how any logic or any kind of formula which accomplishes such a result is sensible or reasonable or just?

Mr. BAYH. Does the Senator have figures that are available to him as to the percentage of nonwhite population in the 18th Congressional District of New York?

Mr. ERVIN. Yes. The 18th Congressional District includes Harlem and is represented by Representative ADAM CLAYTON POWELL.

Mr. BAYH. What is to prevent it from being within the provisions of the bill?

Mr. ERVIN. Because the vices—maybe I should not say vices, but I will say it—of the bill include North Carolina and exclude Harlem. Under its provisions, the bill is to be implemented on the basis of counties, and not on the basis of congressional districts; and New York County had three congressional districts voting less than 50 percent of its adult population in 1964.

Mr. BAYH. Any county or political subdivision that meets the test, whether it is in the North or the South, comes under the provisions of the bill.

Mr. ERVIN. But the 18th Congressional District of New York, which includes Harlem, and which voted only 46.7 percent of its adult population in the presidential election of 1964, is excluded from the provisions of this bill, whereas parts of North Carolina, which voted 51.8 percent of its adult population, is covered by the provisions of the bill.

Mr. BAYH. The question is how small a geographical area we want to define as a "political subdivision." I personally would have no objection to including congressional districts.

Mr. ERVIN. I was thinking that the formula is so drafted that it includes the six States which voted for Goldwater and the 34 North Carolina counties which voted for Johnson and the 35 Virginia counties and 10 Virginia cities, I believe, which voted for Johnson. Why not take that as the formula, because that is certainly the result of it?

Mr. BAYH. That certainly was not intended. If the Senator offered an amendment to include congressional districts, I would support it. I do not think any of us would want to get into something by which discrimination occurred out of the provisions of the bill.

Mr. ERVIN. I am glad I have the assurance of the Senator from Indiana that he will vote for reasonable amendments. I offered 20 in committee. One of my amendments would exclude North Carolina from the provisions of the bill. Since 99 percent of all the people of my State passed the literacy test, I thought it should be excluded from coverage of the bill. My amendment would have excluded States in which more than 95 percent passed the test. I thought certainly the language of that amendment would be accepted. In North Carolina only 3 out of each 1,000 people who took the test failed it. My mathematics may be poor, but I think that comes to 99.99 and so on, percent of the people of both races in North Carolina. I offered that amendment and the committee voted it down. Yet, under this bill, although 99.99 percent of the people of North Carolina passed the literacy test, according to figures of the U.S. Civil Rights Commission, North Carolina is presumed by this bill, insofar as those 34 counties are concerned, to be discriminating by use of the literacy test.

Mr. BAYH. Of course, the Senator realizes that in any subdivision or in any State where more than 99 percent of the voters passed a literacy test, no reasonable court or no reasonable judge would rule that discrimination has been practiced, and it would come out from under the provision for the appointment of registrars.

Mr. ERVIN. I may state that a great many Senators whom I will not characterize as unreasonable men were not reasonable enough to vote that a State like that should come out from under the coverage of the bill. Instead of that, they bring a bill into the Senate which presumes that North Carolina is using its literacy test to keep qualified people from voting, when 997 out of every thousand people who took the literacy test passed it.

Mr. BAYH. Referring to the over-99-percent figure the Senator uses, does that figure apply to the State as a whole or the 34 counties?

Mr. ERVIN. It applies to the entire State.

Mr. BAYH. Does the Senator have similar figures for the 34 counties, perchance?

Mr. ERVIN. I put these figures in the RECORD. I put in the RECORD the reports for some of the 34 counties, which showed virtually the same result with regard to those figures.

I wish somebody could give me some kind of reasonable basis for reaching a reasonable conclusion that North Carolina is using the literacy test to keep people from registering and voting.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BAYH. The Senator from Maryland has been trying to get me to yield to him. I am glad to do so.

Mr. TYDINGS. Is it not a fact that when we talk about literacy tests within the confines of the bill, we are aiming at those tests or devices which were adopted in convention or in legislatures where the sole purpose was the disenfranchisement of nonwhite voters? In the draftsmanship of any bill such as this, in the definitions, occasionally we might reach a political subdivision which might be unfairly required to suspend a literacy test. However, the committee bent over backward—as the Senator from Indiana will recall, we even amended the original version—to provide that a political subdivision or county such as referred to would have to do would be to file a paper and put it in the mails for Washington, and the Attorney General, if the facts were as the Senator has stated, would agree to it, and that would be it.

The examiners themselves would not be sent into the given area, even if the formula worked, until the Attorney General requested it. But I believe we get off the subject a little. If I may comment a little further, the history of the adoption of these devices is clear.

Mr. ERVIN. That was 57 years ago.

Mr. TYDINGS. When the Virginia Convention met in 1898, the then young State Senator Carter Glass got up on the floor of the Virginia State Convention and stated that the purpose of the convention was to disenfranchise the Negroes of Virginia insofar as it could be accomplished under current court interpretations.

These are not voting qualifications as we think of them today. These are devices and tests used for the purpose of disenfranchising individuals. That is why the bill was drafted and revised as it was. The bill presumes that when there is a situation with a percentage of less than 50 percent of the eligible voters of a State registered to vote, together with more than 20 percent of the population of the State or subdivision being Negroes, then it automatically presumes that tests and devices were being used to discriminate. When the final bill came out, section 4(a) and section 4(b), I believe, provided all the relief needed

for any of the counties with which the Senator from North Carolina is concerned.

It is specifically provided that all the Attorney General has to do is to consent to the entry of the judgment.

On page 16 of the bill—this is after the State or subdivision has sent up a petition to the District Court of the District of Columbia to state that it has not denied or abridged a citizen of any right to vote.

If the Attorney General determines that he has no reason to believe that any such test or device has been used during the five years preceding the filing of the action for the purpose of denying or abridging the right to vote on account of race or color, he shall consent to the entry of such judgment.

As the Senator will recall, during the appearance of the Attorney General before the committee, he stated time and again that in any instance of that kind, he would bend over backward to facilitate and make certain that there was no undue problem with the individual county which had not been, in fact, denying or abridging the right of a person to vote by the use of tests or devices.

Mr. ERVIN. I was astounded that the Attorney General of the United States appeared before the committee urging passage of a bill applicable to 34 counties in North Carolina, when he admitted before the committee that the Department of Justice had no evidence of any present violations of the 15th amendment occurring in any of the 34 counties.

My good friend the Senator from Maryland may believe that the bill deals gently with the 34 counties, but it nails shut the doors of every Federal court in the United States except the District Court of the District of Columbia. The bill tells them that although the Department of Justice says, "You are innocent, and we have no evidence of your guilt, you are to be presumed guilty." So the counties have to hire a lawyer; they have to pass up all the courthouses in North Carolina and the State of Virginia; they have to come north and cross the Potomac River and have their lawyer file a complaint in the District Court of the District of Columbia alleging their innocence, which is known to be true, before they can be relieved from the consequences of the bill.

This bill does not treat any of the seven States or their political subdivisions kindly. I am a lawyer, and do not ordinarily object to things which help lawyers. This bill goes too far, however, in its effort to help lawyers. It requires innocent States or political subdivisions to prove their innocence in the District Court of the District of Columbia. By so doing, some States or political subdivisions have to travel a thousand miles to the district where they are denied compulsory process to obtain witnesses.

Mr. LAUSCHE. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. I have one additional comment to make, and then I shall subside.

I should like to have the Senator from Indiana [Mr. BAYH] explain the logic of a bill which asserts that Louisiana, which voted 47.3 percent of its adult population in the presidential election of 1964, is to be presumed guilty and must come to the District Court of the District of Columbia to prove its innocence; whereas, the State of Texas, which voted only 44.4 percent of its adult population in the same presidential election, is presumed to be innocent. In other words, I should like to have the logic of the bill explained to me, so that I may comprehend the basis on which it can be made to appear to be reasonable.

Mr. BAYH. One explanation would be the difference in the percentage of the registered nonwhite voters as between the two States. Another explanation would be to look at 100 years of history, during which the use of these tests and devices in the way of discriminating has been involved.

Texas has no tests or devices. Louisiana has. If Louisiana is not discriminating in using its tests and devices, it does not come under the provisions of the bill.

Mr. ERVIN. In other words, this is all based on 100 years of history?

Mr. BAYH. And what it shows.

Mr. ERVIN. I have a high respect for history, but if we are going to condemn everyone on the basis of history, I doubt that any of us would ever see salvation.

Mr. BAYH. I do not intend to read again the statistics of some of the counties which the Senator already knows quite well, but when there is a whole county with a majority of Negroes and not one has been registered, it seems to me something is wrong.

Mr. ERVIN. The Senator is not referring to North Carolina.

Mr. BAYH. In that particular case, I certainly am not. Neither is the Senator from North Carolina referring to North Carolina.

Mr. ERVIN. We have been having a celebration of the 100th anniversary of what my geology professor so well called "the uncivil war." I was in hopes that we were going to have a reunited country at the end of 100 years, but now we seem to be going back to Reconstruction days. This bill should be amended so that its title should be known as "the Reconstruction Act of 1965."

Mr. BAYH. Not at all. If I may be so presumptuous as to say so, it is my opinion that the goal of the Senator to have a reunited country will be accomplished by the enactment of this bill, because then everyone will have the right to vote, and we shall be giving everyone the opportunity to vote. That is a part of the reason why we fought that war 100 years ago. It is unfortunate that those same characteristics still exist.

Mr. ERVIN. They do not exist in my State. Yet we are condemned, along with everyone else. It does not exist in these other States in any degree like the proponents of the bill are setting forth.

It also condemns the State of South Carolina. I would say it cannot be true of South Carolina. The same thing would apply to the State of Virginia.

The simplicity of the North Carolina literacy test is illustrated by the test employed by New Hanover County, which appears in the record of the hearing.

This is the test:

Copy in your own handwriting the following underlined portion of the North Carolina Constitution in the space provided below.

All elections ought to be free.

That was the sum total of the literacy test in a State which is presumed to be discriminating. I thank the Senator.

Mr. RUSSELL of South Carolina. Mr. President, will the Senator yield?

Mr. BAYH. I yield.

Mr. RUSSELL of South Carolina. Mr. President, will the Senator permit me to ask him a question with reference to South Carolina?

Mr. BAYH. Certainly.

Mr. RUSSELL of South Carolina. South Carolina has a literacy test. However, on Saturday the State chairman of the National Association for the Advancement of Colored People in South Carolina issued a statement in which he said that in the past 4 years the Negroes in the State had increased their registration by 147 percent, which he thought was an extremely fine and gratifying record. Assuming that statement to be correct, does the Senator feel that the literacy test in South Carolina is being used to discriminate against Negroes, or does he believe there is any justification for legislation which would brand South Carolina as a State that is doing something wrong?

Mr. BAYH. Of course, percentage figures do not adequately describe discrimination, or the lack thereof, in the attempt to accomplish the goal of giving all people an equal opportunity to vote. One hundred and forty percent of nothing is nothing.

Mr. RUSSELL of South Carolina. Yes. The chairman referred to the increase from 50,000 to 150,000. He used the actual figures, in other words. Would not the Senator say that these were outstanding figures?

Mr. BAYH. I would say they show the State to be headed in the right direction. It should try to increase those figures.

Mr. RUSSELL of South Carolina. Has the Senator from Indiana heard of any complaints from South Carolina that any Negro has been discriminated against in his attempt to register through the operation of the literacy test applied in that State?

Mr. BAYH. I have no personal knowledge of it.

Mr. RUSSELL of South Carolina. I have not heard of any, either. I have been Governor of the State for the past 2½ years, and I have not heard of any. I do not know why South Carolina should be singled out for this treatment.

We have heard discussion about the history of certain provisions in the State literacy tests. I do not believe that history has anything to do with it. What someone said 70 years ago has nothing to do with the present situation. The question is whether the literacy test is discriminatorily applied today. I do not believe it is. Does the Senator agree with me?

Mr. BAYH. I do not agree. With all due respect, I believe that what the Senator said about what was said years ago

would be irrelevant, and would be correct if it were not supported by practices which indicate that the goal which was originally set has not been followed in some areas.

Mr. RUSSELL of South Carolina. I am sure the Senator knows of no such instances. I do not believe anyone can say that in the past few years there has been any discrimination. We do not see why anyone should go back into ancient history. Why do we not talk about what is occurring today? There is no discrimination in our State today.

Mr. BAYH. If there is no discrimination——

Mr. RUSSELL of South Carolina. Why would the Senator from Indiana force us to come to the District Court in the District of Columbia? The Senator from North Carolina [Mr. ERVIN] referred to the fact that it is a long way from home. It would be necessary for us to engage lawyers. If the situation is anything like it was when I practiced in that court, it has the most congested docket of any court in the United States. I wonder how long a State would have to wait for the trial to come up.

Mr. BAYH. If the situation is as the Senator has described—and I am sure it would be if the Senator describes it that way—he would not have to hire a lawyer. All he would have to do would be to send an affidavit to the Attorney General. Unless the Attorney General disagreed on the facts, the State would be automatically removed from the applicability of the provisions of the act.

Mr. RUSSELL of South Carolina. Does the Senator believe that if I were to write a letter to the Attorney General he would give me that opinion, so that I could satisfy the people of South Carolina on that point?

Mr. BAYH. I suggest that we first pass the bill, and then the Senator may send a letter to the Attorney General. If everything is as he has suggested, there will be no difficulty about the Attorney General ruling in his favor.

Mr. RUSSELL of South Carolina. In other words, we should take it on good faith. Why would not the Attorney General tell us so now?

Mr. BAYH. I beg the Senator's pardon. I did not quite understand him.

Mr. RUSSELL of South Carolina. If the Attorney General has no evidence of discrimination, why should he not let us know about it now?

Mr. BAYH. Perhaps the Attorney General would be in some disagreement with the Senator on the facts.

Mr. RUSSELL of South Carolina. Does the Senator believe that if I give the Attorney General the facts now, he would give us such a ruling?

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. BAYH. I yield.

Mr. ERVIN. I do not like to be the source of disillusion for the distinguished Senator from South Carolina, but the Attorney General assured us during the hearings before the committee that even though he had no evidence of discrimination in North Carolina, he would nevertheless make us come to Washington to establish our innocence in the district court in Washington. It is necessary to employ a lawyer to draw the petition or complaint. I hope that the State officials would not try to represent themselves in court. I say that because I have always been told that a person who undertakes to represent himself has a fool for a client.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BAYH. I yield.

Mr. LAUSCHE. The Senator from Indiana is a member of the Committee on the Judiciary, and he heard the testimony on the bill. He knows that I am not a member of the committee. Therefore, I should like to ask a few questions, solely for the purpose of information. Earlier in the discussion I understood the Senator from Indiana to say that a literacy test, or a requirement that a person have a certain level of education imposed by the State, came within the provisions of the Constitution of the United States. Am I correct in that understanding?

Mr. BAYH. First, let me say that each State has the prerogative of determining the qualifications of its voters.

Mr. LAUSCHE. Not the prerogative, but the absolute right to determine the qualifications of voters. That is correct, is it not?

Mr. BAYH. Yes.

Mr. LAUSCHE. That is set forth in section——

Mr. BAYH. Subject, of course, as the Senator knows, to the constitutional provisions in the 14th and 15th amendments.

Mr. LAUSCHE. Let us put it this way: Each State of the Union, through its legislature, has the right to fix the qualifications of its voters, and can do so by imposing a literacy test, subject to the limitation that the State shall not adopt by statute or constitutional provision any provision that denies the right to vote on the basis of race, color, or previous condition of servitude.

Mr. BAYH. The Senator is correct.

Mr. LAUSCHE. Those qualifications are contained in article I, section 2 of the Constitution and in the 17th amendment to the Constitution.

Mr. BAYH. Yes.

Mr. LAUSCHE. Am I correct in saying that those two provisions in the Constitution are controlling insofar as the States are given the right to fix qualifications, subject to the limitation imposed by the constitutional amendment adopted in the 1870's?

Mr. BAYH. That is the understanding of the Senator from Indiana.

Mr. LAUSCHE. The language which contains that provision, in section 2, article I, reads as follows:

> The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

That deals with the qualifications of voters who cast their ballots for Members of the House of Representatives. Is that correct?

Mr. BAYH. That is correct.

Mr. LAUSCHE. The 17th amendment provides for the direct election of Senators, instead of their election by State legislatures. The people of the United States amended the Constitution with reference to the election of Senators, and provided in the amendment:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

The 17th amendment is an absolute duplicate of section 2 of article I of the Constitution dealing with the election of Senators. Is that correct?

Mr. BAYH. The Senator is correct.

Mr. LAUSCHE. That provision is subject to the limitation that no voter shall be disqualified because of race, color, previous condition of servitude.

Mr. BAYH. The Senator is correct.

Mr. LAUSCHE. Earlier in the discussion, the Senator from Indiana said that these provisions are binding, and that the State has the right to fix qualifications, except when it uses a device that disqualifies a voter because of his color. Is that correct?

Mr. BAYH. That is correct.

Mr. LAUSCHE. If the bill were passed and the Attorney General should go before a court, that court could, according to the language of the bill, be required to "suspend the use of such test or device in such State or political subdivisions as the court shall determine is appropriate and for such period as it seems necessary."

My question is: Could a court suspend the device that had been used as a hidden means of nullifying the 15th amendment, or could it go so far as to render invalid every provision of State law dealing with the literacy test?

That point is very important in my thinking. Would a court suspend a statute of a State which provided for a literacy test, or would it suspend and make impossible the use of the device of registrars which bar nonwhites from voting? What would be the power of the court? Would the court have power completely to suspend the law, or merely make impossible in the procedure the denial of the right to vote?

Mr. BAYH. The Senator from Indiana is of the opinion that the court would deal specifically with the discriminatory effect and application.

Mr. LAUSCHE. That does not answer the question. Would a law which requires a literacy test be suspended completely or would it be permitted to stand; and, through the device of a court, would the officials be rendered impotent in hiddenly imposing what might be called the discriminatory application of the test?

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BAYH. I yield.

Mr. TYDINGS. Specifically, the statute itself would automatically, insofar as it concerns the five States which would come within the purview of the provisions of the statute, suspend the literacy test and other devices spelled out in section 4 of the bill. However, it also provides machinery, which was described in the colloquy between the Senator from North Carolina [Mr. ERVIN] and myself. Furthermore, there is an important distinction. While the statute would auto-

matically suspend the tests and devices in those districts, it would not automatically appoint examiners. That would be done at the sole discretion of the Attorney General of the United States if he feels the situation warrants the appointment or, after petition from individual residents of the States, alleging that they had been deprived of the right to vote because of their color.

Mr. LAUSCHE. Then I understand the answer to be that literacy tests, which, under the Constitution, it is admitted, might be adopted by each State, would be suspended.

Mr. TYDINGS. I believe there are five States which would automatically be involved. If the Senator will look at appendix C on page 44 of the majority views of the Judiciary Committee, he will see the names of those States, the percentages, and the fact that there is greater than 20 percent of the population that are nonwhite, making the presumption automatic. The particular devices described in the bill would then be automatically suspended.

Mr. LAUSCHE. Did the committee give any consideration to the proposition that a literacy test, if it is permissible under the Constitution, as has been confirmed by the answers that have been given, could not be suspended by anyone, but that the Federal Government might step in to eliminate devices that have been used to circumvent the genuine and honest administration of a law which, as written at least, is honest?

Mr. TYDINGS. I believe the Senator agrees with the principle and the motivations which motivated the draftsmen of the bill and the revision of it by a majority in the committee. The testimony which was brought out in the committee, which the Senator observes is contained in two bound volumes, was overwhelming as to the facts, the historical basis, and the reasons for the adoption of these specific tests.

I should like to state an example. There was an answer by an illiterate white applicant in the State of Louisiana. I should like to spell out the way he responded to the question. At the same time, the same literacy test was to be used to deprive college graduates who were black. The question related to what was supposed to be freedom of speech. I should like to find the reference in the hearings.

Mr. ERVIN. Mr. President, I wonder if the Senator will yield to me while he is looking for that reference.

Mr. TYDINGS. I should like to put it this way: From the spelling out of the illiterate white voter applicant, it would be almost impossible to determine what his answer to a simple question was. He was nevertheless registered to vote at the same time qualified Negro college graduates were turned away from the registration booth. But the point I am making is that the great accumulation of data and evidence showed that what the Senator and I would consider a voting qualification was not a voting qualification.

Although it was statutorily set up as a so-called qualification, in effect it was really a stratagem to deprive a person of an opportunity or the right to vote because of his color. That was the reason we had to draft the language as we did.

Mr. LAUSCHE. I am having no difficulty with what the Senator might call the need and the responsibility to find a way to give every citizen the right to vote. I am now directing my questions solely to the constitutionality of the question. According to what the Senator from Maryland [Mr. TYDINGS] has said, the Court, as I have mentioned, would suspend——

Mr. TYDINGS. The bill would suspend.

Mr. LAUSCHE. The bill provides that the court——

Mr. TYDINGS. No; if the Senator will refer to section 4 of the bill, he will observe that the bill provides that where a certain set of circumstances are in effect having to do with voting registration, that is, less than 50 percent of the persons eligible to vote or who voted in the recent presidential election, more than 20 percent of the population being nonwhite, the bill itself would automatically suspend—and they are enumerated—the devices and qualifications.

Mr. ERVIN. I should like to give the Senator a comment on that subject from the Supreme Court.

Mr. LAUSCHE. The section to which I refer reads as follows:

(b) If in a proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that a test or device has been used for purposes of denying or abridging the right of any citizen of the United States to vote on account of race or color, it shall suspend the use of such test or device in such State or political subdivisions as the court shall determine is appropriate and for such period as it deems necessary.

Mr. TYDINGS. That language is in section 3. There are two basic sections insofar as the suspension of tests and devices are concerned, section 3 and section 4. The first one the Senator from Ohio has read. It has to do with any case brought under any of the civil rights statutes. Under the fourth section, to which I referred, it is automatic.

Mr. LAUSCHE. I have that section. I should like to ask one or two more questions, and then I shall conclude. Does any State in the Union have on its statute books or in its constitution any law which would deny the right to vote to any citizen on the basis of race, creed, or previous condition of servitude?

Mr. TYDINGS. No. The so-called white primaries and the grandfather clauses have all been held unconstitutional by the Supreme Court. States that wished to reach the same objective were obliged to use devices and stratagems which would not specifically acknowledge what they were trying to do, but nevertheless gained the same end.

Mr. LAUSCHE. No State has in its statutes or in its constitution any language that violates the 15th amendment of the Constitution.

Mr. TYDINGS. Per se.

Mr. LAUSCHE. But if denials have occurred, they have been through hidden devices in administrative procedures. The bill, as I understand the answer, would not only eliminate the prima facie valid provisions of the laws and the constitutions of the States, but would also eliminate the device that is being used to circumvent the right of nonwhites to vote.

Mr. TYDINGS. In a sense.

Mr. LAUSCHE. Why would it not have been better solely to take the procedure that is adopted in denying the right to vote, that is, the officials who administer the registration process?

Mr. TYDINGS. It is my understanding that this was the theory behind the passage of the Civil Rights Acts of 1957, 1960, and 1964 when I was not a Member of Congress; in other words, to try to have the civil courts effect a remedy directly through local registrars. Unfortunately—and it is a fact of life—this has resulted in no registration, or practically no registration, and no results. In other words, the delays which can be successfully carried out in this procedure in effect deprive persons of the right to vote, even though Congress intended, when it passed the Civil Rights Acts of 1957, 1960, and 1964, that that should not be so, and that States could not do what the Senator from Ohio has asked about; that is, prevent action under a court order and under court registrations.

Mr. LAUSCHE. Federal registration.

Mr. TYDINGS. The Civil Rights Act of 1964 even provided for Federal registrars in certain circumstances, but that required long and tedious court proceedings, which delayed actions to the point where there has been no effective relief in the so-called hard-core areas. So with the best of intentions on the part of the draftsmen of the original bills, people were not permitted to register or vote because of their color.

Mr. LAUSCHE. Would it follow, then, that it is the opinion of the Senator from Indiana and the Senator from Maryland that the courts would say that a statute or a constitutional provision, valid in its language and in conformity with the Constitution of the United States, shall, by the proposed legislation, become ineffective and invalid when it is shown that behind that valid law was a device used to deny a nonwhite the right to vote?

Mr. TYDINGS. In effect, that is what we are saying by the record we have built up in committee and by the CONGRESSIONAL RECORD. We are saying, in effect, that those were not valid qualifications; they were stratagems and devices, as the Senator has said, to deprive people of the right to vote. So long as the qualifications are used in that way, they are not within the purview of the 15th amendment. The Senator has put his finger on the issue.

Mr. LAUSCHE. So long as the language is constitutional and valid, the bill, if passed, would render invalid all those statutes if and when it appeared that behind the statutes a device was used to deny a nonwhite the right to vote.

Mr. TYDINGS. That plus the fact that Congress is saying that because of that fact, presented to us within the record, we now find that such is the case in the States which made the requirement, as spelled out in four places in section 4. We also say that at such time

as any State or political subdivision shall no longer use these devices as a means to stop a person from voting, it can appear before a court and seek automatic reinstatement.

Mr. ERVIN. Mr. President, will the Senator from Indiana yield to permit me to make one observation which is germane to the statement made by the able and distinguished Senator from Ohio?

Mr. BAYH. I yield.

Mr. ERVIN. I agree with the Senator from Maryland. The bill would suspend the constitutional power and the constitutional right of 7 States to use literacy tests, while leaving 13 other States, which have literacy tests, the right and power to exercise their constitutional right.

The writer of the Book of Ecclesiastes says:

> There is nothing new under the sun.

During the Civil War an effort was made to suspend provisions of the Constitution in the great State of the able and distinguished Senator from Indiana [Mr. BAYH]. This is what the Court said about suspending the provisions of the Constitution, not at a time belabored by a few demonstrations in Alabama, but at a time when a terrible Civil War racked the land.

> The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism.

This quotation appears on page 121 of the opinion of the Court in the great case of Ex parte Milligan which was reported in 4 Wallace at page 2.

We have a fine illustration of that in this instance. According to the bill, the Constitution of the United States no longer covers seven States; the Constitution has been suspended as to them. They are to be subjected to despotism. Those seven States are to be condemned and have their right to exercise their constitutional power to prescribe literary tests suspended without a trial under an artificial presumption that has no relation to the truth.

Mr. BAYH. Without arguing at further length with the Senator from North Carolina, I believe it is only fair to include in the record that the argument on the other side, equally strong, is to the effect that in those very States the 15th amendment of the Constitution has not been in effect for many years, because the average nonwhite voter has not been able to vote. What we are seeking to do is to enforce that part of the Constitution. When a State learns that the administration of its voting laws does not contravene the 15th amendment, the bill we are now discussing will have no force or effect.

Mr. ERVIN. In reply, laws on this subject have been on the books since 1870. The Attorney General admits that while he comes before Congress and complains about discrimination, he has not attempted to prosecute a single registrar for denying any person the right to vote on account of race or color.

I thank the Senator from Indiana for yielding.

Mr. LAUSCHE. Mr. President, I wish to aid in the fullest degree to provide for every citizen of our country the right to vote. However, I find a weakness in what the Senator from Indiana has just said; namely, that when a person has committed a wrong, another person is justified in committing a wrong in the rectification of the original wrong. That is not a good philosophy, in my thinking. That is one of the hurdles that has to be overcome.

Mr. BAYH. I agree with the Senator from Ohio. One of the first lessons I learned when I was too young to remember much else was that two wrongs do not make a right. Frankly, I do not believe that is the case in connection with this particular bill.

Mr. COOPER. Mr. President, this is the first time I have intervened in the debate, but I have been much interested in the questions that have been asked, directed to the authority Congress might have to suspend literacy tests which, on their face, are valid. I wish to direct a question to the Senator in charge of the bill, and also to the distinguished Senator from North Carolina.

Is it not correct that the constitutional basis upon which the bill is predicated is that the authority of Congress to enact appropriate legislation under the 15th amendment supervenes the authority of the State to fix voter qualifications, if such voter qualifications are used as an instrument of discrimination? I think that is the constitutional basis upon which this legislation is predicated.

Mr. BAYH. Although the Senator from Kentucky and I disagree on the ultimate facts and the application, it is my desire that States have the right to set the criteria and qualifications, so long as they do not violate the right of the individual to vote. The right of the individual to vote is one of the most sacred rights of any American. The Senator from Kentucky is exactly correct in the question he posed and the answer he gave.

Mr. COOPER. There is no question about the authority of the State to fix voter qualifications. However, if that authority is used to deny the right to vote, Congress has authority to suspend those qualifications. I think we have an analogy to that in the fact that the courts have suspended those qualifications when the facts showed that they have been used discriminatorily. I believe the Senator will agree to that.

Mr. ERVIN. Is the Senator referring to me?

Mr. COOPER. I am.

Mr. ERVIN. I do not agree to that. The Court has held that every provision of the Constitution must be given effect. The Court has held that we must give effect to the provision that States have a right to prescribe the qualifications for voters. The 15th amendment merely prevents States from denying people the right to register to vote on account of race or color. It does not abridge in any way the right of the States to deny the people the right to vote on account of their illiteracy.

Mr. COOPER. That is not quite an answer to my question. My point is that if the authority of the State to fix qualifications is used discriminatorily—and it has been, and everyone in this Chamber and in the country knows it—then, I should think it would be a travesty to say that Congress has not the authority to strike down the very instruments of discrimination.

My point is that the courts have done this. We have many analogies to show that Congress can do that.

Mr. ERVIN. The courts cannot.

Mr. COOPER. They have done it.

Mr. ERVIN. I disagree with my friend.

Mr. COOPER. They have suspended the qualifications.

Mr. ERVIN. They have not disqualified them. I challenge anyone to cite any court that has held that it can suspend a valid literacy test which applies with equal force to all people. There is no such holding. We cannot use the 15th amendment to destroy section 2, article I, the 17th amendment, or the 10th amendment. However, that is precisely what the bill would do.

Mr. COOPER. Congress in this case has greater authority than the court. Congress is acting under a specific constitutional amendment which grants the authority. It would be a travesty to argue that Congress is without power to remove, at least temporarily, the very instruments of discrimination. If we cannot do that, what authority has Congress, or in what way can Congress act to remove these instruments of discrimination?

Mr. ERVIN. We can enact a law to allow Federal registrars to test people by means of the State laws which prescribe qualifications. But we would have to test them by means of the State laws, including the State literacy test. That would be the way to handle the situation. We should not do as is proposed in the bill, and try to nullify or suspend four separate constitutional provisions. That is what the bill would do. Also, the bill undertakes to condemn seven States without a judicial trial on the basis of events which have occurred in the past. Therefore, it is a bill of attainder, an ex post facto law. The bill also contains other infirmities.

Mr. COOPER. The Senator suggested one thing that could be done. That was done. It did not work. Under the power of Congress, granted in the 15th amendment, Congress has the power to devise another way if it is rational and if it has support.

Mr. BAYH. Reasonable men differ in their interpretations. The Attorney General disagrees with the Senator from North Carolina concerning the ex post facto law and the bill of attainder. Much as I dislike to disagree with the Senator from North Carolina, I concur in the opinion of the Attorney General.

COMMITTEE SERVICE

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask for its immediate consideration. The

resolution announces certain adjustments of the Democratic membership on the standing committees of the Senate.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read the resolution (S. Res. 100), as follows:

Resolved, That Mr. SMATHERS be, and he is hereby assigned to service on the Committee on the Judiciary, in lieu of Mr. Johnston, deceased;

That Mr. MCCARTHY be, and he is hereby assigned to the Committee on Foreign Relations, in lieu of Mr. SMATHERS, resigned;

That Mr. MONDALE and Mr. RUSSELL of South Carolina be, and they are hereby assigned to the Committee on Agriculture and Forestry, in lieu of Mr. MCCARTHY, resigned, and Mr. Johnston, deceased, respectively;

That Mr. RUSSELL of South Carolina be, and he is hereby assigned to the Committee on Post Office and Civil Service, in lieu of Mr. Johnston, deceased.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered and was agreed to.

ORDER FOR ADJOURNMENT

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

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

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment of the Constitution of the United States.

Mr. BAYH. Because it might be of some value, although I am certain it will not stop the argument on this matter, I ask unanimous consent that the text of the decision in Louisiana, et al., appellants, against United States, March 8, 1965, decision of the Supreme Court, be printed at this point in the RECORD.

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

[In the Supreme Court of the United States, No. 67, October term, 1964]

LOUISIANA ET AL., APPELLANTS, *v.* UNITED STATES

(On appeal from the U.S. District Court for the Eastern District of Louisiana, March 8, 1965)

Mr. Justice Black delivered the opinion of the Court.

Pursuant to authority granted in 42 U.S.C. § 1971(c) (1958 ed., Supp. V.), the Attorney General brought this action on behalf of the United States in the United States District Court for the Eastern District of Louisiana against the State of Louisiana, the three members of the State Board of Registration, and the Director-Secretary of the Board. The complaint charged that the defendants by following and enforcing unconstitutional State laws had been denying and unless restrained by the court would continue to deny Negro citizens of Louisiana the right to vote, in violation of 42 U.S.C. § 1971(a) (1958 ed.)[1] and the Fourteenth and Fifteenth Amendments to the United States Constitution. The case was tried and after submission of evidence,[2] the three-judge District Court, convened pursuant to 28 U.S.C. § 2281 (1958 ed.), gave judgment for the United States. 225 F. Supp. 353. The State and the other defendants appealed, and we noted probable jurisdiction. 377 U.S. 987.

The complaint alleged, and the District Court found, that beginning with the adoption of the Louisiana Constitution of 1898, when approximately 44 percent of all the registered voters in the State were Negroes, the State had put into effect a successful policy of denying Negro citizens the right to vote because of their race. The 1898 constitution adopted what was known as a "grandfather clause," which imposed burdensome requirements for registration thereafter but exempted from these future requirements any person who had been entitled to vote before January 1, 1867, or who was the son or grandson of such a person.[3] Such a transparent expedient for disfranchising Negroes, whose ancestors had been slaves until 1863 and not entitled to vote in Louisiana before 1867,[4] was held unconstitutional in 1915 as a violation of the Fifteenth Amendment, in a case involving a similar Oklahoma constitutional provision. *Guinn* v. *United States*, 238 U.S. 347. Soon after that decision Louisiana, in 1921, adopted a new constitution replacing the repudiated "grandfather clause" with what the complaint calls an "interpretation test," which required that an applicant for registration be able to "give a reasonable interpretation" of any clause in the Louisiana Constitution or the Constitution of the United States.[5] From the adoption of the 1921 interpretation test until 1944, the District Court's opinion stated, the percentage of registered voters in Louisiana who were Negroes never exceeded 1 percent. Prior to 1944 Negro interest in voting in Louisiana had been slight, largely because the State's white primary law kept Negroes from voting in the Democratic Party primary election, the only election that mattered in the political climate of that State. In 1944, however, this Court invalidated the substantially identical white primary law of Texas,[6] and with the explicit statutory bar to their voting in the primary removed and because of a generally heightened political interest, Negroes in increasing numbers began to register in Louisiana. The white primary system had been so effective in barring Negroes from voting that the "interpretation test" as a disfranchising device had fallen into disuse. Many registrars continued to ignore it after 1944, and in the next dozen years the proportion of registered voters who were Negroes rose from two-tenths of 1 percent to approximately 15 percent by March 1956. This fact, coupled with this Court's 1954 invalidation of laws requiring school segregation,[7] prompted the State to try new devices to keep the white citizens in control. The Louisiana Legislature created a committee which became known as the "Segregation Committee" to seek means of acomplishing this goal. The chairman of this committee also helped to organize a semiprivate group called the Association of Citizens Councils, which thereafter acted in close cooperation with the legislative committee to preserve white supremacy. The legislative committee and the Citizens Councils set up programs, which parish voting registrars were required to attend, to instruct the registrars on how to promote white political control. The committee and the Citizens Councils also began a wholesale challenging of Negro names already on the voting rolls, with the result that thousands of Negroes, but virtually no whites, were purged from the rolls of voters. Beginning in the middle 1950's registrars of at least 21 parishes began to apply the interpretation test. In 1960 the State Constitution was amended to require every applicant thereafter to "be able to understand" as well as "give a reasonable interpretation" of any section of the State or Federal Constitution "when read to him by the registrar."[8] The State Board of Registration in cooperation with the Segregation Committee issued orders that all parish registrars must strictly comply with the new provisions.

The interpretation test, the court found, vested in the voting registrars a virtually uncontrolled discretion as to who should vote and who should not. Under the State's statutes and constitutional provisions the registrars, without any objective standard to guide them, determine the manner in which the interpretation test is to be given, whether it is to be oral or written, the length and complexity of the sections of the State or Federal Constitutions to be understood and interpreted, and what interpretation is to be considered correct. There was ample evidence to support the District Court's finding that registrars in the 21 parishes where the test was found to have been used had exercised their broad powers to deprive otherwise qualified Negro citizens of their right to vote; and that the existence of the test as a hurdle to voter qualification has in itself deterred and will continue to deter Negroes from attempting to register in Louisiana.

Because of the virtually unlimited discretion vested by the Louisiana laws in the registrars of voters and because in the 21 parishes where the interpretation test was applied that discretion had been exercised to keep Negroes from voting because of their race, the District Court held the interpretation test invalid on its face and as applied, as a violation of the Fourteenth and Fifteenth Amendments to the United States Constitution and of 42 U.S.C. § 1971(a).[9] The District Court enjoined future use of the test in the State, and with respect to the 21 parishes where the invalid interpretation test was found to have been applied the District Court also enjoined use of a newly enacted "citizenship" test, which did not repeal the interpretation test and the validity of which was not challenged in this suit, unless a reregistration of all voters in those

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[1] "All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding." 16 Stat. 140, 42 U.S.C. § 1971(a) (1958 ed.).

[2] The appellants did not present any evidence. By stipulation all the Government's evidence was presented in written form.

[3] La. Const. 1898, art. 197, § 5. See generally Eaton, The Suffrage Clause in the New Constitution of Louisiana, 13 Harv. L. Rev. 279.

[4] The Louisiana Constitution of 1868 for the first time permitted Negroes to vote. La. Const. 1868, art. 98.

[5] La. Const. 1921, Art VIII, §§ 1(c), 1(d).

[6] *Smith* v. *Allwright*, 321 U.S. 649.

[7] *Brown* v. *Board of Education*, 347 U.S. 483.

[8] La. Act 613 of 1960, amending La. Const., art. 8, § 1 (d), implemented in La. Rev. Stat. §§ 18:35, 18:36. Under the 1921 constitution the requirement that an applicant be able "to understand" a section "read to him by the registrar" applied only to illiterates. La. Const., 1921, art. 8, § 1(d); compare id., § 1(c).

[9] "Although the vote-abridging purpose and effect of the [interpretation] test render it per se invalid under the 15th amendment, it is also per se invalid under the 14th amendment. The vices cannot be cured by an injunction enjoining its unfair application." 225 F. Supp., at 391–392.

parishes is ordered, so that there would be no voters in those parishes who had not passed the same test.

I.

We have held this day in *United States* v. *Mississippi*, *ante*, p. —, that the Attorney General has power to bring suit against a State and its officials to protect the voting rights of Negroes guaranteed by 42 U.S.C. § 1971(a) and the Fourteenth and Fifteenth Amendments.[10] There can be no doubt from the evidence in this case that the District Court was amply justified in finding that Louisiana's interpretation test, as written and as applied, was part of a successful plan to deprive Louisiana Negroes of their right to vote. This device for accomplishing unconstitutional discrimination has been little if any less successful than was the "grandfather clause" invalidated by this Court's decision in *Guinn* v. *United States*, *supra*, 50 years ago, which when that clause was adopted in 1898 had seemed to the leaders of Louisiana a much preferable way of assuring white political supremacy. The Governor of Louisiana stated in 1898 that he believed that the "grandfather clause" solved the problem of keeping Negroes from voting "in a much more upright and manly fashion" [11] than the method adopted previously by the States of Mississippi and South Carolina, which left the qualification of applicants to vote "largely to the arbitrary discretion of the officers administering the law." [12] A delegate to the 1898 Louisiana Constitutional Convention also criticized an interpretation test because the "arbitrary power, lodged with the registration officer, practically places his decision beyond the pale of judicial review; and he can enfranchise or disfranchise voters at his own sweet will and pleasure without let or hindrance." [13]

But Louisianans of a later generation did place just such arbitrary power in the hands of election officers who have used it with phenomenal success to keep Negroes from voting in the State. The State admits that the statutes and provisions of the State constitution establishing the interpretation test "vest discretion in the registrars of voters to determine the qualifications of applicants for registration" while imposing "no definite and objective standards upon registrars of voters for the administration of the interpretation test." And the District Court found that "Louisiana * * * provides no effective method whereby arbitrary and capricious action by registrars of voters may be presented or redressed." [14] The applicant facing a registrar in Louisiana thus has been compelled to leave his voting fate to that official's uncontrolled power to determine whether the applicant's understanding of the Federal or State Constitution is satisfactory. As the evidence showed, colored people, even some with the most advanced education and scholarship, were declared by voting registrars with less education to have an unsatisfactory understanding of the constitution of Louisiana or of the United States. This is not a test but a trap, sufficient to stop even the most brilliant man on his way to the voting booth. The cherished right of people in a country like ours to vote cannot be obliterated by the use of laws like this, which leave the voting fate of a citizen to the passing whim or impulse of an individual registrar. Many of our cases have pointed out the invalidity of laws so completely devoid of standards and restraints. See, e.g., *United States* v. *L. Cohen Grocery Co.*, 255 U.S. 81. Squarely in point is *Schnell* v. *Davis*, 336 U.S. 933, affirming 81 F. Supp. 872 (D.C.S.D. Ala.), in which we affirmed a district court judgment striking down as a violation of the Fourteenth and Fifteenth Amendments, an Alabama constitutional provision restricting the right to vote in that State to persons who could "understand and explain any article of the Constitution of the United States" to the satisfaction of voting registrars. We likewise affirm here the District Court's holding that the provisions of the Louisiana Constitution and statutes which require voters to satisfy registrars of their ability to "understand and give a reasonable interpretation of any section" of the Federal or Louisiana constitutions violate the Constitution. And we agree with the District Court that it specifically conflicts with the prohibitions against discrimination in voting because of race found both in the Fifteenth Amendment and 42 U.S.C. § 1971 (a) to subject citizens to such an arbitrary power as Louisiana has given its registrars under these laws.

II

This leaves for consideration the District Court's decree. We bear in mind that the court has not merely the power but the duty to render a decree which will so far as possible eliminate the discriminatory effects of the past as well as bar like discrimination in the future. Little if any objection is raised to the propriety of the injunction against further use of the interpretation test as it stood at the time this action was begun, and without further discussion we affirm that part of the decree.

Appellants' chief argument against the decree concerns the effect which should be given the new voter-qualification test adopted by the Board of Registration in August 1962, pursuant to statute [15] and subsequent constitutional amendment [16] after this suit had been filed. The new test, says the State, is a uniform, objective, standardized "citizenship" test administered to all prospective voters alike. Under it, according to the State, an applicant is "required to indiscriminately draw one of ten cards. Each card has six multiple choice questions, four of which the applicant must answer correctly." Confining itself to the allegations of the complaint, the District Court did not pass upon the validity of the new test, but did take it into consideration in formulating the decree.[17] The court found that past discrimination against Negro applicants in the 21 parishes where the interpretation test had been applied had greatly reduced the proportion of potential Negro voters who were registered as compared with the proportion of whites. Most if not all of those white voters had been permitted to register on far less rigorous terms than colored applicants whose applications were rejected. Since the new "citizenship" test does not provide for a reregistration of voters already accepted by the registrars, it would affect only applicants not already registered, and would not disturb the eligibility of the white voters who had been allowed to register while discriminatory practices kept Negroes from doing so. In these 21 parishes, while the registration of white persons was increasing, the number of Negroes registered decreased from 25,361 to 10,351. Under these circumstances we think, that the court was quite right to decree that, as to persons who met age and residence requirements during the years in which the interpretation test was used, use of the new "citizenship" test should be postponed in those 21 parishes where registrars used the old interpretation test until those parishes have ordered a complete reregistration of voters, so that the new test will apply alike to all or to none. Cf. *United States* v. *Duke*, 332 F. 2d 759, 769–770 (C. A. 5th Cir.).

It also was certainly an appropriate exercise of the District Court's discretion to order reports to be made every month concerning the registration of voters in these 21 parishes, in order that the court might be informed as to whether the old discriminatory practices really had been abandoned in good faith. The need to eradicate past evil effects and to prevent the continuation or repetition in the future of the discriminatory practices shown to be so deeply engrained in the laws, policies, and traditions of the State of Louisiana, completely justified the District Court in entering the decree it did and in retaining jurisdiction of the entire case to hear any evidence of discrimination in other parishes and to enter such orders as justice from time to time might require.

Affirmed.

Mr. Justice Harlan considers that the constitutional conclusions reached in this opinion can properly be based only on the provisions of the Fifteenth Amendment. In all other respects, he fully subscribes to this opinion.

Mr. BAYH. Mr. President, I shall quote one paragraph therefrom, since it deals directly with the point of which the Senator from North Carolina was speaking in answer to the Senator from Kentucky. The Court did suspend them. The Court said:

The interpretation test, the court found, vested in the voting registrars a virtually uncontrolled discretion as to who should vote and who should not. Under the State's

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[10] It is argued that the members of the State board of registration were not properly made defendants because they were "mere conduits," without authority to enforce State registration requirements. The board has the power and duty to supervise administration of the interpretation test and prescribe rules and regulations for the registrars to follow in applying it. La. Rev. Stat. § 18: 191A; La. Const., art. 8, § 18. The board also is by statute directed to fashion and administer the new "citizenship" test. La. Rev. Stat. § 18:191A; La. Const., art. 8, § 18. And the board has power to remove any registrar from office "at will." La. Const., art. 8, § 18. In these circumstances the board members were properly made defendants. Compare *United States* v. *Mississippi*, *ante*, at 12–13.

There is also no merit in the argument that the registrars, who were not defendants in this suit, were indispensable parties. The registrars have no personal interest in the outcome of this case and are bound to follow the directions of the State board of registration.

[11] Louisiana Senate Journal, 1898, p. 33.

[12] Ibid.

[13] Kerman, The Constitutional Convention of 1898 and Its Work," proceedings of the Louisiana Bar Association for 1899, pp. 59–60.

[14] 225 F. Supp., at 384.

[15] La. Act 62 of 1962, amending La. R. S. 18: 191A.

[16] La. Act 539 of 1962, amending La. Const., art. 8, § 18.

[17] Like the district court, we express no opinion as to the constitutionality of the new "citizenship" test. Any question as to that point is specifically reserved. That test was never challenged in the complaint or any other pleading. The district court said "we repeat that this decision does not touch upon the constitutionality of the citizenship test as a State qualification for voting." 225 F. Supp., at 397. The Solicitor General did not challenge the validity of the new test in this Court either in briefs or in oral argument, but instead recognized specifically that that issue was not before us in this case. And at oral argument in this Court the attorney for the United States stated that the Government has pending in a lower court a new suit challenging registration procedures in Louisiana "under the new regime," i.e., employed subsequent to the invalidation of the interpretation test in this case. The new "citizenship" test, he said, "is simply not an issue in this proceeding and was not invalidated in the lower court and we are not here challenging it."

statutes and constitutional provisions the registrars, without any objective standard to guide them, determine the manner in which the interpretation test is to be given, whether it is to be oral or written, the length and complexity of the sections of the State or Federal Constitutions to be understood and interpreted, and what interpretation is to be considered correct. There was ample evidence to support the district court's finding that registrars in the 21 parishes where the test was found to have been used had exercised their broad powers to deprive otherwise qualified Negro citizens of their right to vote; and that the existence of the test as a hurdle to voter qualification has in itself deterred and will continue to deter Negroes from attempting to register in Louisiana.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. BAYH. I yield.

Mr. ELLENDER. A while ago, when I was questioning my good friend from Indiana, I was interrupted. I ask the Senator whether he can cite any cases or any action that has been taken by any authoritative body under the recent act passed by Congress, the 1960 law.

As I recall, that would make it possible to have a special three-judge court selected in order to facilitate quick decisions. There was also a provision in the bill whereby a Federal registrar could be selected. The question I ask is, Why is not that law being used? Why is it necessary to proceed further on the subject?

Mr. BAYH. The Senator from Indiana was unaware that registrars would be appointed by the 1960 act.

Mr. ELLENDER. It provided for "Federal referees" instead of "registrars." Referees were provided for under the act of 1960 at section 601.

Mr. BAYH. After a full court decision. In my speech, which I started some time ago, I pointed to one or two cases in which 4 or 5 or 6 years—perhaps not quite that long, but at least 3 or 4 years—had transpired and we still do not have any action because of the delaying tactics and the length of time necessary to adjudicate in some cases. All the time persons are being deprived of the right to vote.

Mr. ELLENDER. As I recall, a strong argument was made on the floor of the Senate in favor of creating special courts to deal with problems involving voting rights. Has that provision ever been used?

Mr. BAYH. It has been attempted.

Mr. ELLENDER. Where? When?

Mr. BAYH. Perhaps the Senator would like to have me read or introduce into the RECORD a part of the report, on page 7, in which Mr. Marshall describes some of the efforts that have been made in Dallas County, Ala. He goes into the first of four cases in some degree of particularity in describing the procedural roadblocks that have been used in certain instances.

It is unfortunate that certain instances like that necessitate registration of this kind, but we must be able to get at these cases.

Other laws have not been able to do the job.

Mr. President, I request unanimous consent that there be placed at this point in the RECORD extracts from the joint statement of views on page 7 through page 8 of the report describing this matter, so as to have some continuity in the RECORD.

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

Mr. Marshall also described the first four cases filed in 1961 as "characterized by seemingly endless litigation to bring about minimal results," id. at 32. The history of one of those cases—filed against the Board of Registrars of Dallas County, Ala.—illustrates this failure of existing law.

Dallas County, with Selma as the county seat, has a voting-age population of approximately 29,500, of whom 14,500 are white persons and 15,000 are Negroes. In 1961, 9,195 of the whites—64 percent of the voting-age total—and 156 Negroes—1 percent of the total—were registered to vote in Dallas County.

On April 13, 1961, the Government filed a lawsuit against the county board of registrars under the Civil Rights Acts of 1957 and 1960. The district court and the court of appeals found that the registrars in the office when the suit was filed had been engaging for years in a pattern and practice of discrimination against Negroes. But when the case came to trial 13 months later, those registrars had resigned and new ones had been appointed. Although there was proof of discrimination by prior registrars, including the misuse of the application form as a test, the court found that the present registrars were not discriminating and it declined to issue an injunction. The Court of Appeals for the Fifth Circuit reversed, and, among other things, it disapproved the rejection of one Negro applicant for lack of "good moral character" without a hearing and on the basis of rumor and gossip. However, the court of appeals rejected the Government's contention that the registrars should be required to apply to Negroes the same standards applied to whites during the period of discrimination.

This form of relief, usually characterized as "freezing relief," is embodied in the voting referee provision of the Civil Rights Act of 1960 (42 U.S.C. 1971(e)) and, in recent cases, the court of appeals has applied the "freezing" principle. (See, *United States* v. *Mississippi* (*Walthall County*), 339 F. 2d 697 (C.A. 5, 1964); *United States* v. *Duke*, 332 F. 2d 759 (C.A. 5, 1964)), as has the Supreme Court; *Louisiana* v. *United States*, — U.S. — (Mar. 8, 1965). But the failure to secure "freezing" relief in the first Dallas County appeal spelled substantial failure of 2½ years of effort to end voting discrimination in that county.

The Dallas County Board of Registrars continued to discriminate after the injunction was issued. It was proved at the second trial that between May 1962 and August 1964 795 applications for registration had been filed by Negroes but that only 93—12 percent of the Negro applicants—had been registered. During the same period, 945 of 1,232 white applicants—more than 75 percent—were registered. The court found that specific discriminatory practices were still used, including the manipulation of literacy requirements. It pointed out that the registrars had raised the standards for both Negro and white applicants; that the percentage of rejections for both races had more than doubled since the first trial in May 1962. Only a token number of Negroes were registered. These discriminatory practices assured that white political supremacy was unlawfully maintained in Dallas County.

In February 1964, an additional barrier to Negro registration was erected when registrars throughout Alabama, including those in Dallas County, began using a new application form which included a difficult literacy and knowledge-of-government test. In September 1964 another, and still more difficult test, prescribed by the State supreme court, was adopted and administered by the Dallas County registrars. Because registration in Alabama is permanent, the great majority of white voters in Selma, already registered under easier standards, were not required to pass these tests, so that, as a practical matter, it was applied almost exclusively to the unregistered Negroes.

On February 4, 1965, nearly 4 years after suit was originally filed, the district court entered a second decree which, among other things, enjoined use of the new literacy and knowledge-of-government tests and dealt with serious problems of delay in processing applications for registration.

The effectiveness of the litigation approach in Selma, Ala., is to be judged, in large measure, by the fact that less than 3 percent of the voting age Negroes in Dallas County are registered to vote.

The voting referee provisions have also proved inadequate in Perry County, Ala. In August 1962, a suit was brought against the Perry County Board of Registrars under the Civil Rights Acts of 1957 and 1960, alleging racial discrimination against Negro applicants for voter registration. As the court found, at that time 3,100 white persons—90 percent of the adult whites—and 257 Negroes—5 percent of the adult Negroes—were registered to vote. After a trial in October 1962, the Federal district court in November enjoined the board of registrars from discriminating and from engaging in a number of specific discriminatory practices, including the rejection of applicants for inconsequential errors on the application form.

In January 1963, civil contempt proceedings were initiated, on the ground that the board had defied the court's order. At the same time, and in order to bring about the registration of qualified Negroes, the voting referee machinery of the 1960 act—which permits application for registration to be made directly to the court or to a voting referee—was invoked by 173 Perry County Negroes who wrote letters to the Federal district court explaining that their applications for registration had been rejected by the State registrars since the court's decree and asking the court's help. The relief provided by the court was to order the board of registrars to meet on special registration days and reconsider the qualifications of those who had written the letters. The board of registrars met, reconsidered, and again rejected most of these Negro applicants.

Mr. ELLENDER. Was any action taken by the court to enforce the act of 1964?

Mr. BAYH. It has not been brought to the final position where the court can act.

Mr. ELLENDER. In other words, efforts have probably been made, but the matter has not yet gotten to the court?

Mr. BAYH. It has not reached final decision of the court.

Mr. ELLENDER. But Congress did provide that a special court of three judges could be created to hear such cases. I am wondering what else we can do. Congress has tried in every way to facilitate action in these cases, but there seems to be a tendency on the part of the proponents of the bill to bypass the court and also bypass the Constitution.

Mr. BAYH. Of course, the Senator from Louisiana is entitled to his interpretation, not only of the bill, but of the motives of those who propose it. I hope he will accord us the same courtesy we

accorded him—namely, sincerity in our purpose—and I know he will.

I ask unanimous consent to have printed in this RECORD appendixes G, H, I, from the report to show that numerous efforts have been made to enforce voting rights without having to resort to this type of legislation. The three appendixes eloquently portray the difficulties, if not the impossibility, of bringing this matter to bar and to a final act of decision.

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

APPENDIX G

Discriminatory use of "tests or devices" challenged in Justice Department litigation in Alabama

County	Court findings of racial discrimination and "pattern or practice" of discrimination		Tests and devices challenged			
	Discrimination	Pattern and practice	Read, write, understand, interpret (4(c)(1))	Knowledge (4(c)(2))	Good moral character (4(c)(3))	Voucher (4(c)(4))
Bullock (*U.S. v. Alabama*)	X	X	X	X		X.
Choctaw (*U.S.* v. *Ford*)	X	X	X	X		X.
Dallas (*U.S.* v. *Atkins*)	X	X	X	X	X	
Elmore (*U.S.* v. *Strong*, 230 F. Supp. 873)	X	X	X	X		
Hale (*U.S.* v. *Tutweiler*)	(1)	(1)	X	X		
Jefferson (*U.S.* v. *Bellsnyder*)	(2)	(2)	X	X	X	
Macon (*U.S.* v. *Alabama*) [3]	X	X	X	X		
Montgomery (*U.S.* v. *Parker*, 212 F. Supp. 193)	X	X	X	X		
Perry (*U.S.* v. *Mayton*)	X	X	X	X		(4).
Sumter (*U.S.* v. *Hines*)	X	X	X	X		
Wilcox (*U.S.* v. *Wall*)	(5)	(5)	X	X		X.
Statewide (*U.S.* v. *Baggett*)	(6)	(6)	X	X		

[1] Complaint filed Dec. 16, 1963, has not been decided.
[2] Complaint filed July 13, 1963, has not been decided.
[3] *U.S.* v. *Alabama*, 192 F. Supp. 677; aff'd 304 F. 2d 583; aff'd 371 U.S. 37.
[4] Issue in supplemental proceeding.
[5] Judgment for defendants, case now on appeal.
[6] Complaint filed Jan. 15, 1965, has not been decided.

APPENDIX H

Discriminatory use of "tests or devices" challenged in Justice Department litigation in Louisiana

Parish (county)	Court findings of racial discrimination and "pattern or practice" of discrimination		Tests and devices challenged			
	Discrimination	Pattern and practice	Read, write, understand, interpret (4(c)(1))	Knowledge (4(c)(2))	Good moral character (4(c)(3))	Voucher (4(c)(4))
Bienville (*U.S.* v. *Ass'n of Citizens Councils*, 196 F. Supp. 908)	X	X	X			
East Carroll (*U.S.* v. *Manning*, 205 F. Supp. 172)	X	X				X.
East Feliciana (*U.S.* v. *Palmer*)	(1)	(1)	X			
Jackson (*U.S.* v. *Wilder*, 222 F. Supp. 749)	X	X	X	X		
Madison (*U.S.* v. *Ward*, 222 F. Supp. 617)	X	X		X [2]		
Ouachita (*U.S.* v. *Lucky*)	(3)	(3)	X			X.
Plaquemines (*U.S.* v. *Fox*, 211 F. Supp. 25)	X	(4)	X			
Red River (*U.S.* v. *Crawford*, 229 F. Supp. 898)	X	X	X			
St. Helena (*U.S.* v. *Crouch*)	(5)	(5)	X			
Washington (*U.S.* v. *McElveen*, 180 F. Supp. 10; affirmed 362 U.S. 58 (1961))	X	(6)	X			
Webster (*U.S.* v. *Clement*, 231 F. Supp. 913)	X	X	X			
West Feliciana (*U.S.* v. *Harvey*)	(7)	(7)	X			X.
U.S. v. *Louisiana* (225 F. Supp. 353) (statewide) [8]	X	X	X	X		
U.S. v. *Board of Registration* (statewide) [9]	(10)	(10)	X			

[1] Complaint filed Mar. 26, 1964, has not been decided.
[2] Decided against Government by district court, being urged on appeal.
[3] Case tried February 1964, has not been decided.
[4] No permanent injunction yet; pattern and practice issue to be decided on permanent injunction.
[5] Complaint filed Oct. 22, 1963, has not been decided.
[6] Case decided prior to Civil Rights Act of 1960; no pattern or practice relief available at that time.
[7] Complaint filed Oct. 29, 1963, has not been decided.
[8] In addition to the State, the defendants included the parishes of—

Bienville	La Salle	Richland
Claiborne	Lincoln	St. Helena
De Soto	Morehouse	Union
East Carroll	Ouachita	Webster
East Feliciana	Plaquemines	West Carroll
Franklin	Rapides	West Feliciana
Jackson	Red River	Winn

[9] In addition to the State board of registration, the defendants included the parishes of—

Caddo	Orleans	East Feliciana
Madison	Tangipahoa	

[10] Complaint filed Oct. 8, 1963, has not been decided.

APPENDIX I

Discriminatory use of "tests or devices" challenged in Justice Department litigation in Mississippi

County	Court findings of racial discrimination and "pattern or practice" of discrimination		Tests and devices challenged			
	Discrimination	Pattern and practice	Read, write, understand, interpret (4(c)(1))	Knowledge (4(c)(2))	Good moral character (4(c)(3))	Voucher (4(c)(4))
Benton (*U.S.* v. *Mathis*)	X [1]	X [1]	X	X		
Chickasaw (*U.S.* v. *Allen*)	(2)	(2)	X	X		
Clarke (*U.S.* v. *Ramsey*, 331 F. 2d 824)	X	X [3]	X	X		
Copiah (*U.S.* v. *Weeks*)	(4)	(4)	X	X		
Forrest (*U.S.* v. *Lynd*, 301 F. 2d 818, 321 F. 2d 26)	X	(5)	X	X		
George (*U.S.* v. *Ward*)	X	(6)	X	X	X	
Hinds (*U.S.* v. *Ashford*)	(7)	(7)	X	X		
Holmes (*U.S.* v. *McClellan*)	(8)	(8)	X	X		
Issaquena (*U.S.* v. *Vandevender*)	(9)	(9)	X	X		
Jasper (*U.S.* v. *Hosey*)	(10)	(10)	X	X		
Jefferson Davis (*U.S.* v. *Daniel*)	(11)	(11)	X	X	X	
Jones (*U.S.* v. *Caves*)	(12)	(12)	X	X		

See footnotes at end of table.

Discriminatory use of "tests or devices" challenged in Justice Department litigation in Mississippi—Continued

County	Court findings of racial discrimination and "pattern or practice" of discrimination		Tests and devices challenged			
	Discrimination	Pattern and practice	Read, write, understand, interpret (4(c)(1))	Knowledge (4(c)(2))	Good moral character (4(c)(3))	Voucher (4(c)(4))
Lauderdale (*U.S.* v. *Coleman*)	(13)	(13)	X	X		
Madison (*U.S.* v. *L. F. Campbell*)	(14)	(14)	X	X		
Marion (*U.S.* v. *Miksell*)	X	X	X	X		
Marshall (*U.S.* v. *Clayton*)	X [1]	X [1]	X	X		
Oktibbeha (*U.S.* v. *Henry*)	(15)	(15)	X	X		
Panola (*U.S.* v. *Duke*. 332 F. 2d 759)	X	X	X	X		
Sunflower (*U.S.* v. *C. C. Campbell*)	(16)	(16)	X	X		
Tallahatchie (*U.S.* v. *Cox*)	X	X	X	X		
Walthall (*U.S.* v. *Mississippi*, 339 F. 2d 679)	X	X	X	X		
Statewide (*U.S.* v. *Mississippi*. 229 F. Supp. 925)	(17)	(17)	X	X	X	

[1] Defendants admitted a pattern and practice of discrimination.
[2] Complaint filed Sept. 3, 1964, has not been decided.
[3] The Court of Appeals for the 5th Circuit held that the trial court was clearly erroneous in finding that there had been no pattern and practice of discrimination.
[4] Complaint filed Dec. 17, 1963, has not been decided.
[5] Judgment for defendants, appeal being considered.
[6] Judgment for defendants, case on appeal.
[7] Complaint filed July 13, 1963, has not been decided.
[8] Case tried in November 1964, has not been decided.
[9] Complaint filed in January 1965, has not been decided.
[10] Complaint filed Sept. 3, 1964, has not been decided.
[11] Case tried February 1965, has not been decided.
[12] Complaint filed Feb. 19, 1965, has not been decided.
[13] Complaint filed Dec. 17, 1963, has not been decided.
[14] Case tried August 1964, has not been decided.
[15] Complaint filed Dec. 16, 1963, has not been decided.
[16] Case tried October 1964, has not been decided.
[17] Complaint dismissed, but Supreme Court remanded case for trial. In addition to the State, the registrars of the following counties are also defendants: Amite, Coahoma, Claiborne, Lowndes, Leflore, and Pike.

Mr. ELLENDER. Mr. President, will the Senator tell us in what year this start was made? I am talking about the act of 1964, not the previous acts. It was my belief that since we provided for a special court, together with the other laws existing on the statute books, we should get quick action.

As I understand, under the acts Congress passed some time ago, if a pattern of discrimination were found in any area, the Attorney General could come into court, not with just one person, but with many. That provision was put into the law to facilitate voting wherever discrimination was practiced.

I cannot see the necessity for the special provisions by which the Senator from Indiana and other Senators are willing to suspend laws that are on the statute books of the States and the United States, and give the Attorney General the right to make a finding, without any court actions whatever, that would lead to the registration of many unqualified voters in the six States the Senator mentioned.

Mr. BAYH. I should point out that the Congress of the United States, and not the Attorney General, is making a policy decision, and that as to the provisions of the bill, any decision made by the Attorney General is certainly appealable. The final decision will be made in the court, and not by the Attorney General alone and unchecked.

Mr. ELLENDER. I understood my good friend from North Carolina to state a while ago—and I believe the distinguished Senator from Maryland admitted it—that under one section of the bill it was necessary for the Attorney General to present the case to the court, and let the court decide whether or not there was discrimination; but as to others the determination could be made by the Attorney General, under certain conditions outlined in section 4.

Mr. BAYH. Section 3 contains the general right as to which the Senator was querying the Senator from Maryland.

Under section 4 the State, upon a finding by the Attorney General, could appeal that finding to the court, and the court would make the final determination.

Mr. ELLENDER. That applies only to certain cases.

Mr. BAYH. In all other cases the court must make the determination.

Mr. ELLENDER. I do not understand it that way. I do not read the language in that way. As I understand, all the Attorney General has to do is ascertain that less than 50 percent of the registered voters voted in the election of November last year.

Mr. BAYH. The Senator is correct.

Mr. ELLENDER. Exactly.

In other words, there is no way by which the six States which were mentioned could have a day in court. The determination would be made by the Attorney General, and upon his finding he could then have Federal referees come into the States and register anyone he desired to register, whether the individuals were qualified under the State laws or not. I would like to be corrected if I am in error in that statement.

Mr. BAYH. The Senator from Indiana feels that his friend from Louisiana is correct as far as he goes, but he left out one step—namely, that the State would be able, after the finding by the Attorney General, to ask the court for a declaratory judgment, and, upon a finding that no discrimination existed, the declaratory judgment would be made, and the State would be exempted, under the provisions of the act.

Mr. ELLENDER. The Senator is referring to the provision relating to the past 5 years. Is that correct?

Mr. BAYH. That is correct.

Mr. ERVIN. Mr. President, perhaps I can clarify this point by saying that 7 States would be presumed to be guilty, and the other 43 States would be presumed to be innocent. Seven States would be without judicial recourse, and the other 43 States could not be proceeded against without a trial.

Mr. ELLENDER. That was the distinction I was trying to make between the two sections of the bill.

Mr. BAYH. I believe that the distinction concerning the conditions which exist in various areas should be considered. Conditions differ in various States.

Mr. RUSSELL of South Carolina. Mr. President, will the Senator from Indiana yield for a question?

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Does the Senator from Indiana yield to the Senator from South Carolina?

Mr. BAYH. I am glad to yield to the Senator from South Carolina, and will try to answer any of his questions.

Mr. RUSSELL of South Carolina. This is a little aside from the issue the Senator has been discussing, but I am quite curious about one provision of section 5(d), which provides that a person whose name appears on such a list—that is, a list prepared by the registrar—shall be removed therefrom if the person has not voted at least once during 3 consecutive years while listed.

I am curious to know what the purpose of that provision is, and whether there is a difference between a person listed by the Federal registrar and a person who is registered in the ordinary way.

A person registered in my State of South Carolina is entitled to vote at any time within 10 years. He cannot lose that right without a court proceeding which finds him to be disqualified; yet in section 5(d), for some reason, if a person does not vote in 3 consecutive years, he loses his right to vote. Is that not a rather unusual provision?

Mr. BAYH. Can the Senator from South Carolina refer to a specific line in the bill? We do not find any subsection (d).

Mr. RUSSELL of South Carolina. It is under section 5, under (d), 5(d), it is under 2, where it has been determined by an examiner that a citizen did not vote at least once during 3 consecutive years while listed.

Mr. BAYH. The Senator must be looking at the original bill.

Mr. ERVIN. If I may interpose at this point, that provision has been transposed. It will be found on page 22 of the bill under subsection (d)—it is now section 7(d), on page 22 of the bill.

Mr. RUSSELL of South Carolina. I thank the Senator from North Carolina. It it roughly the same?

Mr. ERVIN. Yes; it is the same.

Mr. RUSSELL of South Carolina. The Senator is correct.

Mr. BAYH. As I recall the discussion in the committee—and I am not absolutely certain that my memory is correct on this point—this is to provide a kind of purging device which, frankly, my State has, without the enactment of this particular legislation.

Mr. RUSSELL of South Carolina. I believe that it has been changed.

Mr. ERVIN. The original section was amended so as to provide that they lose eligibility to vote only in accordance with State law, rather than according to the original provision.

Mr. BAYH. The Senator from North Carolina is correct.

Does the Senator wish to refer any further to that provision?

Mr. RUSSELL of South Carolina. No.

(At this point Mr. KENNEDY of New York took the chair as Presiding Officer.)

Mr. BAYH. Mr. President, third, there is another similarity existing among these five States which cannot escape notice. Each has had a general public policy of racial segregation within the past decade. This can also be said for Virginia and North Carolina, two States in which numerous political subdivisions are affected by the bill. On the other hand, in most of the States which maintain tests or devices but in which more than 50 percent of the voting age population voted in the presidential election of 1964 there are statutes prohibiting racial discrimination in many areas of endeavor.

In short, we have evidence that shows that in Mississippi, while 6.4 percent of the nonwhite voting age population is registered to vote, the ratio for the white voting age population is 66.1. Similarly, in Alabama, while only 18.5 percent of the nonwhite voting age is registered to vote, the ratio for the white voting age population is 66.2 percent. In Georgia, Louisiana, and South Carolina, while the disparity in voting registration of the races is not as dramatic as it is in Mississippi and Alabama, it is nevertheless quite great. In Georgia, only 25 percent of the nonwhite population is registered to vote, while the ratio for the white voting age population is 57.2 percent. In Louisiana the respective ratios are 30.5 percent and 76.6 percent, and in South Carolina 34.3 percent and 69.5 percent.

We have further evidence in the form of judicial decisions which shows that in numerous instances this disparity in registration of the races has been brought about by the discriminatory use of tests and devices in violation of the 15th amendment. Indeed, we have no other sound evidence to explain this disparity.

And finally, after taking notice of a general public policy of racial segregation suggestive of voting discrimination in the States and political subdivisions affected by the bill, we have concluded that where there is the coincidence of three factors: first, the maintenance of tests and devices as qualifications for voting; second, coupled with a large Negro population; and, third, a low registration and electoral participation, there is a great likelihood that there exists massive violations of the 15th amendment. We are therefore compelled to conclude that in those States and political subdivisions where determinations are made showing the existence of these factors, low registration and electoral participation must be presumed, until evidence to the contrary is produced in court, to have been brought about by the discriminatory use of tests and devices.

It is worth noting at this point that the Association of the Bar of the City of New York has published a report supporting the means we adopted in S. 1564 to effectively implement the 15th amendment. The association said this on the subject of the propriety of the bill's "triggering" mechanism:

> Congress has the power within broad limits to determine the nature of the evil and "the closeness of the relationship between the means adopted and the end to be attained." (*Burroughs* v. *United States*, 290 U.S. 534, 548 (1934).)
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> Although the cases involving statutory presumptions operative in Federal court proceedings are not strictly opposite, the statement of the Supreme Court in a recent statutory presumption case is of interest:
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> "As the court of appeals correctly stated in this case, the constitutionality of the legislation depends upon the rationality of the connection 'between the fact proved and the ultimate fact assumed.' (*Tot* v. *United States*, 319 U.S. 463, 466.) The process of making the determination of rationality is, by its nature, highly empirical, and in matters not within specialized judicial competence or completely commonplace, significant weight should be accorded the capacity of Congress to mass the stuff of actual experience and cull conclusions from it." (*United States* v. *Gainey*, 85 Sup. Ct. 574, 757 (1965).)
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> Congress, in basing the proposed legislation on "the stuff of actual experience" before it, could validly "cull conclusions" about the relationship among voting "tests or devices," extent of registration and voting, and unconstitutional discrimination.

This, we have done. The fact that the application of the "triggering mechanism" may reach a few political subdivisions in which no racial discrimination has existed in the voting process does not detract from the basic validity or the fundamental soundness of the formula. As the Supreme Court said in *Burnet* v. *Wells*, 289 U.S. 670, 681:

> What the law looks for in establishing its standards is a probability or tendency of general validity. If this is attained, the formula will serve, though there are imperfections here and there. The exception, if it arises, may have its special rule.

S. 1564 has such a special rule. It provides that any State or political subdivision affected by the formula may bring an action for a declaratory judgment before a three-judge court in the District of Columbia. If any such State or political subdivision can demonstrate in such an action that no test or device has been used for the purpose of denying or abridging the right to vote on account of race or color during the 5 years preceding the filing of the action, it may resume using such tests or devices as qualifications for voting. In fact, if the Attorney General has reason to believe that no test or device has been used for the purpose of denying or abridging the right to vote on account of race for 5 years preceding the filing of the action, he may consent to the entry of a judgment to that effect. Indeed, this special rule is probably more generous than necessary, for, as the Supreme Court once said about a legislative rule of the Interstate Commerce Commission—*Assigned Car Cases*, 274 U.S. 564, 583, per Brandeis, J.:

> Its authority to legislate is limited to establishing a reasonable rule. But in establishing a rule of general application, it is not a condition of its validity that there be adduced evidence or its appropriateness in respect to every railroad to which it will be applicable. In this connection, the Commission, like other legislators, may reason from the particular to the general.

Some have questioned the need for a statewide suspension of tests or devices and have suggested that a formula be devised for making the suspension effective on a county-by-county basis only. I do not believe this would be a sound approach. In the so-called hard core areas we are not confronted with a local or county problem of discrimination. In the "hard core" States, discrimination is essentially a matter of State creation and State policy. Only recently, the Supreme Court found that the Government had stated a good cause of action against the entire State of Mississippi alleging that the State, itself, was the principal party violating the 15th amendment.

Presently pending in the district court in Montgomery, Ala., is a case in which the Government is charging the State of Alabama with violations of the 15th amendment. As I stated previously, on March 8 of this year the Government was successful in a suit brought against the State of Louisiana, when the Supreme Court affirmed the district court's finding of massive racial discrimination in 21 of its parishes through the use of the State's constitutional interpretation test. The district court specially found "massive evidence that the registrars in these 21 parishes discriminated against Negroes not as isolated or accidental or unpredictable acts of unfairness by particular individuals, but as a matter of State policy in a pattern based on the regular, consistent predictable unequal application of the tests." The Supreme Court, affirming the district court, found that the constitutional interpretation test maintained by the State of Louisiana "as written and applied was part of a successful plan to deprive Louisiana Negroes of their right to vote." This decision was placed in the RECORD a moment ago.

The danger of proceeding on a county-by-county basis is amply illustrated by what took place in some localities where an effort was made to comply with the Supreme Court's decisions in 1954 and 1955 requiring the desegregation of public school facilities.

For example, when several political subdivisions in Virginia sought to comply with the Supreme Court's decision, the State legislature undertook a policy of massive resistance forbidding the desegregation of public school facilities.

Finally, after a drawn out battle in the Federal courts, the localities prevailed. Local compliance was only possible after State officials were enjoined from further obstruction.

Events which took place in New Orleans, La., furnish another excellent illustration. When efforts were made by city officials to desegregate public school facilities in New Orleans, the Louisiana Legislature did everything within its power to obstruct the course of city officials. Again, local compliance only was possible after a long drawn out battle in the Federal courts when the Louisiana Legislature was enjoined from further obstruction.

There is further danger in proceeding on a county-by-county basis because local boards of registration in most of the States affected by S. 1564 are closely and directly controlled by and subject to the direction of State boards of election or other State agencies. They would be bound to carry out State policies regardless of private predilections.

We would be negligent in our duty if we overlooked the magnitude of the problem with which we are dealing. We have to meet it head on, providing the remedy demanded by the evil.

Of course, S. 1564, in addition to reaching entire States, also suspends tests and devices, outlaws poll tax and authorizes Federal examiners in certain political subdivisions considered as separate units. Based on our preliminary determinations, Apache County, Ariz., 29 out of 100 counties in North Carolina, and 43 out of 130 counties and independent cities in Virginia would be affected.

S. 1564 leaves no room for the further application of those instruments of disfranchisement which have been so effectively employed for that purpose in the past. It completely suspends their use. Those of us who support this bill have considered and rejected the alternative of providing simply for the appointment of Federal examiners, leaving these examiners free to apply all State laws, including tests and devices. To do this merely would force employees of the United States to perpetuate the results of years of past discrimination at the hands of the State. Let me explain.

We know from evidence introduced by the Attorney General before the Judiciary Committee that in many Mississippi counties for example, in Clarke County, Forrest County, George, Panola, Sunflower, Tallahatchie, and Walthall Counties illiterate whites have been freely registered to vote for many, many years. This is also true for such Alabama counties as Macon and Sumter and such Louisiana parishes as Jackson and Plaquamine. Indeed, in some court cases, specific findings have been made that whites, unlike Negroes, were not required at all to take literacy tests; in others, there are findings that whatever test was given, whites, again unlike Negroes, were assisted in taking the tests. The point is that thousands of whites are on the rolls in the States involved who have never been subjected to a fairly administered test. Since registration is permanent in all of the States in which tests or devices would be suspended, it would work a terrible injustice to require Negroes now to pass such tests, even if fairly administered by a Federal official, while the illiterate whites remain on the rolls.

There are additional reasons for suspending tests and devices. It can hardly be denied that in the areas affected by the bill there exists a fundamental educational disparity between the races. This disparity is the fault of the States themselves. Their schools for Negroes were never equal to the white schools when the two were separate. The two systems have not been integrated and equality has still not been achieved.

Sumter County, Ala., provides an excellent illustration. In 1935, there were 536 white and 5,400 Negro children enrolled in elementary schools in Sumtar County. For every 21 white students there was 1 teacher. There was only 1 teacher for every 45 Negro students. The white teachers were paid nearly five times as much as Negro teachers. Expenditures per pupil were even more discouraging. While $75 per pupil was appropriated for white students, $4 per pupil was appropriated for Negro students.

Certainly the great weight of responsibility for equal opportunity in the country today is in the area of additional educational opportunities. The figures which I have stated portray as dramatic evidence of unequal opportunity as any that I have discovered.

In 1950, the story was not changed. It was modified somewhat. While the disparity was not as great in 1950 as it was in 1935, it remained. For every 21 white students there was 1 teacher. There was 1 teacher for every 30 Negro students. A Negro teacher received approximately two-thirds the compensation received by a white teacher. While $198 per pupil was appropriated for white students, $63 per pupil was appropriated for Negro students. Likewise, expenditures to provide transportation to and from schools were higher for whites than Negroes and school sessions were longer for whites than for Negroes.

Yet, in order to vote in Sumter County, Ala., under State law a Negro would have to take the same educational achievement test that is administered to whites. These States cannot have it both ways. They cannot, on the one hand, provide their Negro citizens with an inferior education, while at the same time require them to pass a stiff educational test as a prerequisite to the exercise of the right to vote. As the Attorney General said to the Judiciary Committee:

> Years of violation of the 14th amendment would become the excuse for continuing violation of the 15th amendment right to vote.

Even a fairminded Federal examiner could not fairly administer a literacy or informational test under these conditions. The bias is built in.

Furthermore, many of the tests and devices used in the States affected by the bill are simply not designed nor are they susceptible of fair administration. For example, it would be impossible even for a Federal examiner to administer fairly a requirement that registered voters must vouch for new applicants in areas where practically no Negroes are registered and where whites cannot be found to vouch for Negroes. The very application of this device in such a place would be inevitably discriminatory. Another test or device that could hardly be administered fairly, at least not in accordance with State law, is the requirement that every blank space on a registration application be filled in and every question properly and responsively answered without assistance. This is required even where there are overlapping questions, and where some questions are long, complex, and deliberately confusing.

Similarly, it would not be possible for an examiner fairly to administer a State law, such as one in Mississippi, which requires that applicants give a satisfactory interpretation of any provision of the State constitution which the registrar might select, and to which there is no satisfactory interpretation short of a Supreme Court opinion. In order to administer such a statute, the Federal examiner would have to select the proper section—from among 285 in the State constitution in question—and then determine the appropriate answer—a question, of course, involving the meaning of State law. It might be noted in passing that this type of statute is now being challenged in court and is of doubtful constitutionality. It would be unseemly, at the very least, for a Federal examiner to attempt to administer such a vague, uncertain, and indefinite provision.

A complete reregistration is not the answer either. This would have a most undesirable impact upon a large number of illiterate white persons who have been voting all their adult lives. They would be disqualified pursuant to State literacy requirements that were never intended by their authors to result in the disfranchisement of white persons. As the Attorney General stated, it would be ironic, and in fact contrary to the true purpose of these laws, to administer them in such a manner.

In short, the only effective and reasonable means of dealing with these problems is the suspension of the tests and devices themselves until such time as they can no longer be used for discriminatory purposes.

On the other hand it would not do just to suspend tests and devices—at least not in those areas where discrimination is most severe. In such places, Federal officials must be available to undertake the job of qualifying those persons eligible to vote. Thus, S. 1564 authorizes the Attorney General to request that the Civil Service Commission appoint Federal examiners, first, in any political subdivision within the scope of the formula in section 4(b) of the bill when the Attorney General certifies that he has received 20 or more meritorious complaints of voting discrimination from residents of any such political subdivision; or second, when, in the judgment of the Attorney General, examiners are necessary to enforce guarantees of the 15th amendment. Examiners may also be appointed by a court, pursuant to section 3 of the bill, in suits brought by the Attorney General under his present statutory authority.

Examiners are required to examine applicants as to their qualifications for voting, placing those persons who meet valid State qualifications on a list of eligible voters, and issuing certificates evidencing their right to vote. Examiners, of course, will not apply those tests and devices suspended by S. 1564, but will apply all other State qualifications not inconsistent with the Constitution or Federal law.

We have found it necessary to authorize the appointment of Federal examiners because we know that, with tests and devices suspended, other weapons will remain available to recalcitrant registrars. Too often, voting discrimination is not put to rest by a court order or a statutory command. When one vehicle of discrimination is enjoined by a Federal court, another invariably arises.

For example, the registrars in East and West Feliciana Parishes were enjoined by a three-judge district court in *United States* v. *Louisiana,* 225 F. Supp. 353, which was affirmed on March 8, 1965, from using various State literacy tests. Their response was simply to close the registration office, thus freezing the existing unlawful registration disparity in those parishes. Six months elapsed before the Department of Justice succeeded in obtaining an order reopening these offices. Similarly, in Dallas County, Ala., the registrars—as found by the district court in a recent decision—slowed down the pace of registration to prevent an appreciable number of Negroes, no matter how qualified, from completing the registration process. Any effective bill must make provision for the use of such evasive tactics. The appointment of Federal officials is the only reasonable method of achieving the needed objective.

Mr. President, we have diligently set about guaranteeing to every citizen, no matter what his race or color, the right to vote. The facts are in. We have studied them cautiously and thoroughly. We have acted neither from vindictiveness nor malice but from compassion and understanding. It is no credit to us or our Nation to propose legislation of this sort. The wrongs we seek to rectify here should never exist. In a nation conceived in the spirit of liberty and equality before law, it becomes us little to call upon the organs of government to protect that which we, as people, should automatically recognize. We are, however, left with no choice. We act because others have made it necessary for us to act. We are responding to the actions of those persons who have tried in desperation to circumvent the pronouncements of the 14th and 15th amendments. We cannot let them succeed.

We are not unmindful of the importance of our task. As the Supreme Court wrote only recently in the case of *Wesberry* v. *Sanders,* 376 U.S. 1, 17:

> No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined.

It is in this spirit that we have proposed S. 1564. Committed as we are to this fundamental principle, we must act now.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DOUGLAS. Mr. President, the UPI ticker tape, report No. 92, purports to give a statement by the Senator from Delaware [Mr. WILLIAMS].

The ticker tape report reads as follows:

> WILLIAMS spoke in support of his amendment as the Senate resumed its debate on the bill. He said his "clean elections" amendment is aimed at a situation which is well known to exist.
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> "If local officials do not or will not * * * it becomes necessary for Congress to act," WILLIAMS said. He argued that the right to vote is meaningless if a man's vote is not counted or if it is nullified by another vote illegally cast.
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> "If I feel that the Congress, in its efforts to see to it that the integrity of a man's right to vote is protected, is obligated to see to it that the integrity of his vote itself is protected," WILLIAMS said.
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> WILLIAMS referred to what he called "the famous incident in Chicago in the 1960 elections" when 82 votes were cast in a precinct although the lists showed only 22 qualified voters.
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> "Such incidents are every bit as much a blot on the American image and the democratic process as are instances of the denial of the right to vote based on race or color," he said, "both must be stamped out, and the sooner, the better."

The office of the Senator from Delaware has been notified that I am taking the floor to reply and to rebut to his charges. I am very glad to see the Senator enter the Chamber at this point.

The documents on the election of 1960 in Chicago are fortunately very complete. The facts can be very clearly stated. In the first place, the precinct in which more people voted than were said to reside in the precinct at the time of the election was one in which, between the time of registration and the time of election, an urban renewal program was carried out. Most of the houses and apartments in the precinct were bulldozed and physically disappeared.

The 89 voters—not 82 as the Senator from Delaware has said—had resided in the precinct at the time of registration, but their homes had been literally taken out from beneath them during the interval between the period of registration and the election. They had not had time in which to become registered in other precincts. There was no fraud.

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

Mr. DOUGLAS. If I have made an error in statement, I shall be glad to yield.

Mr. WILLIAMS of Delaware. Did that not happen in many instances in the country, not only in Chicago but also in every State of the Union, where individuals who were registered in a precinct moved and thus lost their right to vote? I wish there were something we could do about it.

Mr. DOUGLAS. I am quoting from the UPI dispatch which purports to give an account of the statement of the Senator from Delaware. Both the UPI and the AP tend to be extremely accurate.

The truth of the matter is that the residences were bulldozed and the homes of those people were physically eliminated. They did not have time to register in the places to which they moved after the bulldozing occurred. What should happen to those people? Should they be completely disenfranchised, or should they be permitted to vote in the places in which they originally resided and were registered?

The procedure which was followed was to permit them to vote in the place where they had resided and where they were registered. I admit that that was only a human and proper procedure to follow. There was no fraud.

Mr. WILLIAMS of Delaware. Did they vote in accordance with the laws of the State of Illinois?

Mr. DOUGLAS. Yes; I believe so. It was upheld by the courts. I have here a quoted decision contained in the Chicago Tribune for July 25, 1961, in which Acting County Judge John M. Karns dismissed these cases and charged that the prosecution obtained evidence "by unfair and fundamentally illegal means."

I ask unanimous consent that this quotation from the Chicago Tribune be inserted in the RECORD at this point.

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

DISMISSES ALL VOTING CASES—KARNS RIPS METHOD OF GAINING EVIDENCE

The last 10 cases in the investigation of the November 8 election were dismissed yesterday by Acting County Judge John M. Karns, who charged that the prosecution obtained evidence "by unfair and fundamentally illegal means."

Karns said that the cases involved a matter "of even greater significance than the guilt or innocence" of the 50 persons. He said evidence was obtained "in violation of the legal rights of citizens."

Karns' ruling pertained to 8 of the 10 cases. In the two other cases he ruled that the State had been "unable to make a case." Contempt proceedings originally had been brought against 677 persons in 133 precincts by Morris J. Wexler, special State's attorney.

ISSUE JURY SUBPENAS

Wexler admitted in earlier court hearings that he issued grand jury subpenas to about 200 persons involved in the election investigation, questioned the individuals in the criminal courts building, but did not take them before the grand jury.

Mayer Goldberg, attorney for election judges in the 23d ward, 58th precinct, argued this procedure constituted intimidation. Wexler has denied repeatedly that coercion was used in questioning.

Karns said it was a "wrongful act" for Wexler to take statements "privately and outside of the grand jury room." He said this constituted a "very serious misuse" of the criminal court processes.

"Actually, the abuse of the process may have constituted a contempt of the criminal court of Cook County, although vindication of the authority of that court is not the function of this court," said Karns, who is a city judge in East St. Louis.

"I don't care what it involves," Karns retorted. "I am not going to subscribe to what seems to be your philosophy that the end justifies the means."

"COULDN'T CONVICT CUR"

Karns told Wexler that Wexler "couldn't convict the commonest cur on the street with this type of evidence."

In one of the eight cases where grand jury subpenas were used by Wexler, the witnesses gave Wexler's staff statements in their homes, and declined to talk in the criminal courts building.

The two cases in which Karns ruled that Wexler had not made a case involved the 28th and 46th precincts of the 25th ward. The cases were not related to the subpena question.

Karns' final action was in contrast to his scathing reprimand.

"I want to congratulate you special attorneys on your work," he told Wexler and two aids.

WEXLER DISAPPOINTED

Outside court, Wexler said he was "very disappointed" with the outcome.

Wexler said he will file a report on the results with the chief justice of the criminal court, who appointed him to investigate election misconduct in December.

FACED SEVEN CASES

Karns had been scheduled this week to hear 7 cases involving 35 persons. Wexler had charged the judges in these cases with "complimentary" miscount of the vote, in which votes were taken from one candidate and given to another.

The cases involved judges in the 33d, 24th, and 42d precincts of the 31st ward, the 21st and 28th precincts of the 29th ward, the 18th precinct of the 4th ward, and the 9th precinct of the 23d ward.

The case of the judges in the 23d ward, 58th precinct, had been heard previously and taken under advisement by Karns. Two other cases also were under advisement.

After reading his statement discharging the 23d ward case, Karns told Wexler that if the seven cases scheduled for trial also involved persons who had been subpenaed, he would dismiss them.

CLAIMS PRECEDENT LACKING

Wexler complained there was no precedent in Illinois law whereby cases of this nature were dismissed without examination of the evidence.

"You have one now," Karns said.

Wexler contended the election judges in the "complementary" cases were guilty of "serious misconduct," and that the figures on the voting machines alone were ample evidence. He said the statements he obtained which the judge objected to were not necessary to the prosecution of the contempt of court charge.

Mr. WILLIAMS of Delaware. As I understand the Senator, the Court said it was dismissed because the evidence was obtained by what the judges thought were unfair methods. But the point is—had they voted in accordance with the law of the State of Illinois this amendment would not affect them. If their vote was not in accordance with the laws it would affect them.

Mr. DOUGLAS. It was neither a violation of law or ethics.

There was another case to which our Republican friends often refer, namely an instance in which, when the ballot box was opened, it was found that there were unused and spoiled ballots in it. It was alleged that there was fraud in the counting of the ballots. The truth is that after the ballots were counted, they were put in two receptacles, one in which the votes were cast, and in the second the spoiled and unused ballots. The boxes with the spoiled or unused ballots were shipped to the election officials, and the others were shipped to the warehouse for storage. In this one case, after the board of judges and clerks had been on duty for a long period of time, the boxes were mixed up, and the box with the spoiled and empty ballots was sent to the Board of Election Commissioners, and the other ballots were sent to the warehouse.

But the point is that the ballots which were cast were found in the warehouse and were counted, and the count was found to agree with the report which had been sent to the local election board. So there was no fraud at all.

Those are about the only two concrete illustrations that our Republican friends have ever brought forth. Neither of them indicates the slightest degree of fraud.

The U.S. attorney at that time was a Republican, Mr. Robert Tieken, who made the statement that the election was cleaner than usual. Those are his words, not mine. Furthermore, there were other statements by responsible and respectable people.

Mr. Milburn P. Akers, writing in the Sun Times, which favored Vice President Nixon rather than Senator Kennedy, said:

> Republicans had a right, legally and morally, to contest the results. But it is questionable whether they had a right to make sweeping charges of fraud without the evidence to back them up.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield at that point?

Mr. DOUGLAS. Just a moment. I want to finish.

The results of this election and the question of fraud charges were investigated very thoroughly by three distinguished University of Chicago professors, Prof. Herman Finer, Prof. Jerome G. Kerwin, and Prof. C. Herman Pritchett, who is now president of the American Political Science Association. They prepared a detailed report pointing out that there were no election frauds and that these charges were gross misreprentations.

I ask unanimous consent that this report be made a part of the RECORD, at this point in my remarks.

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

AN ANALYSIS OF THE PRESS COVERAGE OF THE 1960 ELECTION IN CHICAGO

(A report by three distinguished political scientists, Prof. Herman Finer, Prof. Jerome G. Kerwin, Prof. C. Herman Pritchett)

SUMMARY

This study has not attempted to make an independent examination of the presence or absence of fraud in the 1960 Chicago election. That would be outside the competence of anything except a large-scale official investigation. What we have attempted to do is to examine the evidence put forward by the Republican Party and the Chicago newspapers to support the charges of fraud which they made. On the basis of this analysis, we conclude that the charges that wholesale election fraud was perpetrated in Chicago were baseless and unsubstantiated. We agree with the judgment of Milburn P. Akers, writing in the Sun Times, when he said: "Republicans had a right, legally and morally, to contest the results. But it is questionable whether they had a right to make sweeping charges of fraud without the evidence to back them up."

Chicago's title to its reputation as a city of good government and decent intention deserves protection from irresponsible defamation. It is hoped that this report can have some effect in restoring the civic morale of our citizens and the dignity of the community and the Nation for themselves and the onlooking world.

AUTHORS OF THE REPORT

Herman Finer, professor of political science, was born in 1898 in Rumania and educated in England, where he lived for many years. Before coming to the United States, he was reader in public administration at the University of London. He was a visiting lecturer at Harvard during 1944–46, and joined the faculty of the University of Chicago in 1946. A specialist in the field of comparative government, Finer is author of a number of books including "Theory and Practices of Modern Government" (1931), "English Local Government" (1933), "Mussolini's Italy" (1935), "Municipal Trading" (1941), "The Road to Reaction" (1945), "America's Destiny" (1947), "Administration and Nursing Service" (1951), and "The Presidency: Crisis and Regeneration" (1960).

Jerome G. Kerwin, professor of political science, was born in 1896 in Albany, N.Y. He received the A.B. degree in 1919 from Dartmouth College, the M.A. in 1921, and the Ph. D. in 1926, both from Columbia University. He joined the faculty of the University of Chicago in 1923 after teaching at Dartmouth for 2 years. A specialist in political philosophy, both medieval and classical, Kerwin is also interested in municipal government and has been active in local politics. Among his writings are such books as "Federal Water Power Legislation" (1926), "Schools and City Government" (coauthor with Nelson B. Henry), (1938), "The Great Tradition" (1948), and "Catholic Viewpoint on Church and State" (1960).

C. Herman Pritchett, professor and chairman of the department of political science, was born in 1907 in Latham, Ill. He received his A.B. from Millikin University in 1927, and his Ph. D. from the University of Chicago in 1937. During 1938–39, he held a postdoctoral research training fellowship from the Social Science Research Council. He joined the faculty at the University of Chicago in 1940 and was named chairman of the department of political science in 1948. Pritchett's field of special interest are public administration and public law. He is the author of numerous articles and of the following books: "The Tennessee Valley Authority" (1943), "The Roosevelt Court" (1948), "Civil Liberties and the Vinson Court" (1954), "The Political Offender and the Warren Court" (1958), and "The American Constitution" (1959).

INTRODUCTORY STATEMENT

A few weeks ago, after the stories about the November 8 election had appeared in the Chicago newspapers, Herman Finer, professor of political science at the University of Chicago, phoned Mayor Daley and stated that he and some of his colleagues were very disturbed about the impression that these stories were giving the Nation, and indeed the world, about the civic reputation of Chicago. Mayor Daley suggested that Mr. Finer and his colleagues might consider attempting to counteract these impressions by making a report which would compare the charges of the defeated candidates and the stories in the newspapers with the actual facts established concerning the election. Professor Finer undertook to prepare such a report, associating with himself two of his colleagues in the political science department, Jerome G. Kerwin and C. Herman Pritchett.

In releasing this report, the purpose of the authors is not to defend the Democratic Party or to attack the Republican Party, but rather to make a sober and responsible evaluation of the charges which have created such an adverse image of Chicago. This matter is particularly serious since there seems to be no indication that the charges about the 1960 Chicago election are being permitted to die down. References continue to appear in the national press, 3 months after the election, to the Chicago "vote frauds" as though they had been fully established. One national magazine, Look, in its issue of February 14, 1961, published a lead article entitled "How To Steal an Election," and carrying a banner headline with the question, "How Dishonest are Chicago Elections?"

The authors of this report are frank to admit that they are Democrats, and Herman Finer is by appointment of Mayor Daley and Governor Stratton an unpaid member of the board of the Chicago Regional Port Authority. However, they are also political scientists and citizens of Chicago who are alarmed at the loss of confidence in election procedures in the city as a result of the press treatment of the 1960 election. They hope by this report to restore some sense of balance on this issue and some basis for continuing the very great advances which have been made in election administration in Chicago in the past decade or two.

The authors wish to acknowledge that on some issues of fact inquiries were made of, and information was supplied by, Mr. Earl Bush, director of public relations of the city of Chicago. The University of Chicago has of course no connection with or responsibility for this study, and no university funds were used in making it.

STATEMENT

Chicago's responsible citizens are fond of their city and desire to see its reputation enhanced. Yet at times we do not all realize the most prudent manner of correcting what appears to be wrong in our civil life. The end, very good in itself, of honesty and efficiency in all walks of governmental operation does not justify any means that may be chosen. All of us may be from time to time carried away with a crusading spirit for causes partisan or otherwise. In our ardor for attaining a good end we may forget certain grave side effects caused by our actions.

Following the elections of November 8, 1960, serious charges were made, charges repeated and amplified by the Chicago newspapers, imputing dishonesty and fraudulent intent to election officials in Chicago and to the Democratic Party specifically. The mayor of Chicago acknowledged that there might have been some cases of irregularity and many cases of error due to human judgment. Considering the election process in most cities of the land, this statement might have covered all of them. Nor is this said in derogation of the cities, for rural areas have not been conspicuously outstanding as models of electoral probity. However, this is often overlooked because the full spotlight of publicity does not fall on them as it does on the cities.

It must be remembered that our election machinery is not and cannot be a continuously functioning organism. It is in large part set up only for an occasional specific day and thereafter dismantled. This fact in itself accounts for many of the errors which enter into the election process. Remembering, too, that for many years—until the middle of the 19th century, in fact—the election process was entirely the business of the political parties themselves, it is no wonder that a great deal of the former inexpert process remains. In a presidential election thousands of people, largely amateur, are engaged to carry through the election process. For the 1960 election in Chicago, 25,000 election judges—Republican and Democratic—were appointed.

That there should be a sudden awakening to weaknesses in the election process in Chicago was in itself a matter of civic gratification. The unfortunate part, however, of this awakening was its excessive nature. Errors became crimes and crimes were said to be wholesale. Much artificial stimulation kept the campaign going. To those people who have watched the election process in Cook County for many years, the charges were not new but the fervor was somewhat surprising. The veteran students of elections remembered a time during the first quarter of this century when despite machine gunnings at the polls, stolen ballot boxes, open buying of votes, intimidation, repetitive voting, estimating and not counting votes, short-penciling, and every fraud known in the dictionary of corrupt elections, it was impossible to arouse the interest of any one of the organizations now worthily active in elections.

To be specific, politics was a "dirty business" in which the Chicago Bar Association, the Association of Commerce, and other like organizations would not engage. Yet it must be remembered that the quiet work of the League of Women Voters, the Men's City Club, and the Women's City Club, and people at our universities brought continual progress. While there are obvious weaknesses still in our election machinery and methods, the amount of improvement in recent years has been extraordinary.

Whatever irregularities have been evident in the recent election do not merit for Chicago the low insinuations, the bitter criticisms, or the hopeless despair of our political morals displayed by so many publications both here and abroad. Much of what was said and done was generated by the heat characteristic of all political struggles, yet the general results from the point of view of the city were most unfortunate.

The 1960 election in Chicago was, in fact, according to Republican U.S. District Attorney Robert Tieken, cleaner than usual. And yet this election was made the occasion for an unjustified and unsubstantiated attack of extraordinary violence on Chicago's civic reputation. The assault was led by the official heads of the Republican Party in Illinois and especially in Cook County, and was aided by the Republican National Committee. It is understandable that in an election as close as the one of 1960, the defeated candidates should make strenuous efforts to reverse the results. But indiscriminate and irresponsible charges of thievery, corruption, and fraud are not an acceptable method of contesting election results. This fact was recognized in the position taken at his farewell press conference by Vice President Nixon, who had more at stake in the election than any other Republican:

"I believe, first, that the time to work for correcting such evils is before election day, instead of protesting afterward. I am going to devote considerable time now to recommending changes in our voting system. And, second, I must point out that no party has a monopoly on this type of cheating."

Chicago and Illinois Republican leaders did not follow this policy. They originated charges such as the following: Frank Ferlic of the States attorney's office charged that the election was "probably the worst in election memory." Republican Cook County Chairman Francis X. Connell, a defeated candidate, said there had been fraudulent voting in as many as 800 precincts, and that the Democrats had stolen 100,000 votes. William H. Fetridge, chairman of the Midwest Volunteers for Nixon-Lodge, said: "We have information that more than 25,000 persons in the skid row area voted the 'right way' in exchange for whisky and money." Frank Durham, of the Committee on Honest Elections, said he "had never seen fraudulent practices more vicious in his 25 years of poll watching." District Attorney Adamowski charged flatly that the White House had been "stolen."[1]

The Chicago newspapers printed these charges, seldom pointing out the lack of supporting evidence for them. Moreover, the newspapers themselves became participants in the campaign to picture the election as fraudulent, and on their own account repeated, multiplied, and pyramided the charges of fraud in a day-to-day crescendo. To meet the requirements of the campaign, minor incidents and irregularities were repeatedly blown up into the appearance of major and intentional frauds. A survey of the press stories that appeared in the weeks following the election, made by Herman Finer, is attached to this statement. His report covers an ample and representative sample of the stories that appeared, and shows the pattern and technique of the propaganda campaign conducted by the metropolitan press, which gave the whole country, and even foreign nations, the impression that the Chicago election was a dirty, foul, crooked, thieving, morass of evil doing.

The newspapers may argue that they only carried the quotations of officials, candidates, and others who were active in the election—that they did not themselves make the charges and accusations. But what actually happened in many cases was that the newspapers would carry stories of allegations; then make the allegations charges; then make the charges facts; then make the facts conclusions—the conclusions being that the election was stolen in Chicago.

Only a few examples of the misleading effect of newspaper coverage can be given. The prime example of alleged election fraud, referred to time and time again in the press, concerned the 50th precinct of the 2d ward, where there was admittedly an overcast of the vote. The facts appeared to be that in this precinct most of the houses had been recently demolished, but that the former occupants had returned on election day and been permitted to vote. After this case had been exploited in many newspaper stories, George Thiem finally conceded in an article in the Daily news on November 25 that "it would be hard to prove deliberate fraud in this precinct. A more likely explanation is the unfamiliarity of the election judges and their duties, and the election laws."

On December 2, the Tribune printed a story with the headline, "Nixon Gain Is 1,214 on Machines: GOP." The subheadline is "See State Victory With Canvass of Paper Ballots." Then follows a bulletin: "Vice President Nixon made a net unofficial gain of 1,214 votes through a Republican comparison of actual voting machine figures with official canvass tallies, it was learned early today. Ralph Berkowitz, an attorney aiding the GOP said Nixon apparently can go on to carry Illinois on the paper ballot recount. The Republican voting machine study, carried out by a firm of certified public accountants, also showed a net gain in Chicago of 1,616 votes for State's Attorney Benjamin S. Adamowski."

These figures—1,214 and 1,616—disappeared in the following days. The so-called machine study carried out by a firm of certified accountants never was presented or published. In fact the name of the firm completely disappeared from print. Yet this account was carried not only by the Tribune but by all three other Chicago newspapers, and the figures and the story disappeared from all other Chicago newspapers as well, with never an explanation.

The Daily News of November 12 stated that William H. Fetridge, chairman of the Midwest Volunteers for Nixon-Lodge, had

[1] A technical error. Adamowski actually was State's attorney. He is, however, described correctly elsewhere in the report.

"recalled that in 1952 Secretary of State Carpentier was an apparent loser by 10,000 votes but the recount made him the winner by 9,000." The article then quotes Fetridge directly, "There is a precedent for this; that is what gives us encouragement." But the fact is that there was no recount in 1952 in the election for secretary of state. Surely the files of the Daily News would have readily revealed this fact.

No one can question the constructive work which our newspapers in Chicago have done on many occasions. We are, however, confronted with a situation which does not promote a wholesome reporting of political news with all four newspapers following one party line on national questions. If it is worthwhile in our politics to have a vigorous two-party system, it is as worthwhile to have a two-party press.

In the light of the charges made concerning the 1960 election, it is important to recapitulate the facts that have subsequently been established about the election.

Fact 1: A recheck of the voting machines in Chicago resulted in a net gain of 312 votes for Nixon out of a total of 1,780,000 votes cast—an amazingly accurate reporting of the vote.

Fact 2: The recheck of the voting machines in the State's attorney's race resulted in a net gain of 435 for Adamowski.

Fact 3: On the "discovery recount" of the paper ballots, Adamowski gained a net of 6,342 out of 417,000 votes, leaving him some 20,000 votes short of the number that would be required to overturn the election of his opponent. A discovery recount of paper ballots is made for the purpose of permitting a candidate to determine whether or not he would wish to file a petition for a recount, and is not made a part of the official canvass.

Fact 4: The State electoral board, composed of four Republicans and one Democrat, certified the Kennedy victory in the State on the ground that there was not sufficient evidence of fraud in Cook County to change the canvass.

Fact 5: The first assistant U.S. attorney, Albert F. Manion, was quoted extensively in the press regarding the possibility of a number of indictments being returned by the Federal grand jury, and hundreds of complaints were reported as having been referred to the grand jury for possible prosecution. Yet the December grand jury returned only two indictments, and the January grand jury did not return a single one.

Further investigations of alleged violations of the election laws will no doubt be made, and should be made, according to the regular procedures of the law. They might indeed establish additional cases of violation. A recount of the paper ballots in the State's attorney's race is now beginning, and it is possible that it might yield evidence of errors in the count. Because of the many opportunities for error or fraud created by the use of paper ballots, it is important to note that the city council, at the request of Mayor Daley, has appropriated a half million dollars for additional voting machines so that paper ballots can in the future be eliminated entirely in the city.

It is to be hoped that the extreme partisan nature of the recent struggle over the results of the 1960 elections will not prevent Republican and Democratic leaders alike from taking stock of our election laws with a view to their reform. It is commendable that various proposals for revising the election laws and procedures are being made. Mrs. Marie H. Suthers, Republican member of the Chicago board of election commissioners, has made some thoughtful proposals which should be carefully studied. It goes without saying, of course, that any changes in the election laws should apply to the entire State, for election irregularities have not been a monopoly of any one section of the State or any one party.

In any revision of the election laws, we suggest that the following proposals deserve consideration:

1. The fundamental cause of bewilderment among the voters and the election judges is the long ballot. This makes it almost impossible for even the most interested citizens to make and mark a rational choice for all positions, and it incredibly complicates the counting process.

2. So long as a reform of the long ballot proves to be impossible, the one most reliable general assurance of the purity of the electoral count is the installation of voting machines in every precinct in the entire State of Illinois. They are costly, but so is a citizen's vote precious.

3. We should consider whether it is the part of political prudence to elect National, State, and local officials at the same election, and whether a method of staggering these elections could not be developed.

4. Attempts should be made to reform our election laws in order that voters who have changed their addresses shortly before an election may be permitted to vote in national elections.

5. Improvement of the caliber of official personnel at polling places in elections is badly needed in some areas.

6. The administration of Chicago's permanent registration system can undoubtedly be improved.

ANALYSIS OF CHICAGO NEWSPAPER STORIES ON 1960 ELECTION

One of the first charges of election irregularity was made by the Committee on Honest Elections headed by David H. Brill. This committee claimed to be nonpartisan and permanent. In fact, practically all its members were Republican. It seemed to have been set up just before the election and for the purposes of the November 8 election alone. From the beginning, it worked hand in glove with the regular Republican Party officials at all levels and with the four metropolitan newspapers of Chicago.

On November 8 and 9, in the Daily News, the committee alleged its clean election drive had prevented a minimum of 100,000 fraudulent votes in Cook County. The very word "fraudulent" prejudged the case, and no basis for the 100,000 figure was ever given, although it became a figure often repeated by top Republican officials and by the newspapers. The only particulars received from this organization were that most of the 100,000 would be, or had been, ghosts who were afraid to come out. This was evidently a figment of the imagination.

According to the Daily News of November 9, the U.S. attorney's office in Illinois had received and investigated 400 complaints. And although Mrs. Marie Suthers, Republican member of the board of election commissioners, said, "I can't prove a thing," the first assistant State's attorney, Frank Ferlic, alleged a deliberate effort to disfranchise the voters, and charged that the November 8 election was probably the worst in election memory. Mrs. Suthers did not pin herself to the 100,000 figure but made it 10,000, a considerable drop.

The term "fake votes" was used in a very heavy headline by the Daily News on November 9 giving the reader the impression that fake votes were proven, whereas they were only an allegation made by interested parties.

In another section of the same newspaper one alleged ghost voter was the subject of a long story because he had been allowed to vote on affidavit by a Democratic precinct captain. Several of such cases were alleged, but only one more name was actually given; and it was admitted that in that case the man concerned had actually lived at the residence sworn to.

On November 9 the Chicago Tribune began to participate. Its headlined article put the word "error" in quotes in the allegation that 10,000 had been denied the right to vote. Without any evidence it charged "Names Illegally Taken From the Lists." In the body of the article thus headlined, all that appeared was that Mrs. Suthers charged that names were omitted from the lists. She blamed laxity on the part of the precinct captains during October, and so far she did not charge fraud or illegality.

Of 1,200 voting complaints in the State's attorney's office, 500 were regarding omission from the voting lists. And the numerous complaints sent in to the Tribune were for the same reason. But the instances actually given were less than those to be counted on the fingers of one hand. They may have shown evidence of error, but certainly not of fraud.

On November 10 the Daily News took GOP County Chairman Francis X. Connell at his word that there was fraudulent voting in as many as 800 precincts. It may be noted that this charge was made by a defeated candidate and by a political leader who had been rejected in the voting.

On November 10 the Daily News began to inject a further note of suspicion into the issue by printing the headline, "Missing Ballots—Where They Went," and the word "missing" was itself put into quotation marks by the newspaper, no doubt with the insinuation that if they were missing, they were missing by design.

The headline also mentions several thousand votes lost, and in the body of its article it used quotation marks around the word "lost." But then it says that actually the votes were not so much lost as unrecorded in the unofficial returns.

On November 10, Chicago's American came out with the word "fraud" in a heavy headline entitled, "Hundreds Face Vote Fraud Quiz." It would have been more faithful to the public to have said, "Hundreds Face Possible Vote Fraud Quiz." The tentative nature of the information actually at its disposal, may be seen from some subsequent lines in the same article where, quoting first Assistant U.S. Attorney Alfred Manion, the American said, "Entire first ward precinct may be summoned before the jurors to answer complaints about chain voting, multiple voting, and the buying of votes." The reader should notice the terms "may be" and "complaints." What has been done here is to call names by false information in the headline and then to hedge in the body of the article.

This same American article said that the U.S. attorney's office had received 400 complaints during the election. This is a very marked reduction from the figures of 100,000 and 10,000. Mr. Manion said that about 20 to 25 of these would require investigation.

On November 10 the Daily News quoted Ferlic as saying that Adamowski was "the principal victim of fraudulent voting practices." He said that "hundreds and hundreds of people were disfranchised by sloppy canvassing." But this is not fraud. He also alleged that "thousands of ghost voters * * * had undoubtedly gone to the polls," without any proof that they had. Furthermore, he admitted that "we are still weeding the wheat from the chaff." In other words, no proof, not even any tenable accusation of fraud, was given. The allegations concerned possible irregularities.

Meanwhile, U.S. Attorney Robert Tieken said that he would take action "if we have a provable violation of the conspiracy laws" with the intention of defrauding the voter. But Benjamin Adamowski, defeated candidate for State's attorney, called himself the victim of an unfair fight and said this was shocking and disgusting.

On November 11 the Daily News had the headline "Four Vote Fraud Probes Started in City and County." In the article it said that these were to detect fraudulent votes cast. It could have used the words "alleged fraudulent votes," but it gave the impression

that the votes were fraudulent and merely needed to be substantiated. Mr. Manion charged that there had been a morass of vote buying in the first ward.

By November 11 the Republican National Committee got into the act. It stirred up a commotion in Chicago by the announcement that State and county GOP chairmen in Illinois and five other States had been asked to investigate all charges of voting irregularities, and that they should advise its chairman and the Department of Justice. The American explained this tactic by showing how, if only the electoral votes of Illinois and one or two other States could be seized from Kennedy, then the election could still go to Nixon.

On November 11 the Tribune reported that Manion, who had talked of "morass," explained that he had received more than 500 complaints on election day of which 20 or 25 deserved serious investigation. The complaints, by the way, he said involved both the Republican and the Democratic Parties.

The Tribune headline states, "United States Asks Vote Fraud Probes in Five Wards." In fairness the headline should have said that the charges were only allegations. Furthermore, in the subheadline they used the phrase "Complaints of Ballot Sell-outs Studied" without specifying a single concrete example.

The allegations by State's Attorney Adamowski were repeated in all or almost all of the Chicago metropolitan newspapers, and this over a period of 2 or 3 days, giving a cumulative effect to the impression of scandal on the public mind. But there never appeared any evidence to support his challenge of the election, and his charges of skulduggery that was shocking and disgusting. He admitted that he had no direct evidence but based charges on stories he had heard.

An article in the American on November 11 carried the headline "Canvassers Find Errors in Vote Tallies," and a lead sentence, "Some of the election results don't add up, just as many Republicans had complained." This is a typical example of misleading coverage. The article quotes three examples. In the 22d ward, 27th precinct, election judges added 253 for Nixon and 253 for Kennedy and got a total of 505. Of course, the result should have been 506. This as a difference of one vote—certainly a trivial foundation for implications of the headline and lead sentence. The second example was in the 18th ward, 27th precinct, where election judges added up the vote for Kennedy and reached a total of 379. The precinct captain's tally sheets showed 279. However, the paper drew no conclusion from this as to who was at fault or what was its significance. In the third example involving the 15th precinct of ward 17, the judges' tally sheet was said to have shown that 516 persons voted. Yet 532 voted for the President and the two voting machines together totaled 556.

All that this kind of instance could prove, and these were the only ones given, was that the tallies had in some way or another not been accurate. But they do not show who was at fault or why. It certainly did not add up to a kind of situation where the Presidency could change hands as alleged by those who had begun by charging that a hundred thousand irregularities had occurred, and then reduced the figure to 10,000 and so on, getting less and less each time they were challenged to produce evidence.

The metropolitan press freely carried the remarks of William H. Fetridge, chairman of the Midwest Volunteers for Nixon-Lodge, regardless of how fantastic the statements were. In the American of November 12, Fetridge said: "We have information that more than 25,000 persons in the skid row area voted the right way in exchange for whisky and money." To this Adamowski added the solemn statement: "I am satisfied there was fraud. I do not have any doubt that the buying of votes got hidden away." And Adamowski having echoed Fetridge obliged by echoing Adamowski. He said: "I looked at those figures; the fantastic totals that the Democratic machine rolled up, and I cannot help but become alarmed."

In the Daily News of November 12 it was stated that Fetridge recalled that in 1952 Secretary of State Carpentier was an apparent loser by 10,000 votes, but the recount made him winner by 9,000. This is a glaring example of quoting so-called responsible sources without any regard to the authenticity of their remarks. For the fact is that there was no recount in the 1952 election for Secretary of State in which the contestants were Charles Carpentier, Republican, and Edward J. Barrett, the incumbent. It is highly questionable whether a newspaper should carry a quotation which they certainly should have known was false.

A newspaper may contend that it is not breaking faith with the public in carrying a quotation as long as they indicate the source. They may say the newspaper is not making the charges—the man quoted is making the charges. But surely the files of the Daily News would have readily revealed that there was never any recount in the election for Secretary of State in 1952.

In the Tribune simultaneously a great amount of space was given to alleged thousands of telegrams complaining of vote frauds and asking for probes to the GOP headquarters in Washington; but it was notable that the wires on the most part did not contain specific information.

In an article in the Tribune on November 12, Frank Durham, a LaSalle Street insurance man, and a member of the honest election committee, alleged that the Democratic machine had stolen the election from Nixon and Adamowski and that he had never seen fraudulent practices more vicious in his 25 years of poll watching. This was a completely irresponsible charge, but no warning was given in the Tribune's article that a very serious investigation would be needed before such charges could be believed. In sharp contrast to this was the statement by Tieken that the 1960 election in Chicago was cleaner than usual.

At this time it was suggested that if there was to be a recount in Cook County it would be fair to recount the vote in the whole State. In response to this, all that Mr. Fetridge could answer was that there has never been any history of fraud down there. Underlying this statement by Fetridge, is the constant repetition by the metropolitan press of the theory that something had to be wrong because the Democratic Party was a heavy victor in Chicago. But the tremendous majorities received by Republican candidates downstate were never clouded by accusations of fraud by the metropolitan press. The fact is that the mere heaviness of a vote either way does not prove that a tally is fraudulent.

On November 14 the Daily News in an editorial made a charge of theft and fraud even more severe and uncompromising than before. The headline on the editorial was "Stop Vote Frauds." Actually there had been no concrete evidence of vote frauds.

By November 14 the Tribune was able to quote Francis X. Connell, now once again returned to his original charge that the "Dems stole * * * 100,000 votes." In the news column the word "stole" is printed without quotation marks, and the 100,000 votes becomes "100,000 fraudulent" votes.

The Tribune further reported that Connell said, "There is no question that the Democrats stole the election * * * the work was mainly done by the professional vote thieves; those we'll never catch." But if there were evidence, they could be caught; if there was no evidence, the city should not be slandered.

The Tribune went on to report that the Nixon recount committee had reported a flood of letters, telegrams, and telephone calls from voters urging a fight to challenge the election results. But it did not say how many make a flood—1, 10, 20, 30, 2,000—what is a flood?

On November 15 the Chicago Sun Times reported that in Arlington Heights, in three precincts, there were more votes cast than there were applicants for ballots; and one gave Adamowski 65 more votes than the total number of voters listed. There was no complaint alleged of fraud or other suspicious allegation made on these figures.

On November 15 the Daily News reported the action of a citizens' group on the North Side, printing the headline, "Citizens' Group Turns Over Evidence of Near North Frauds." The evidence given in the ensuing article was flimsy in the extreme, although 250 volunteer women poll watchers had participated. The only instances given in the news column were something like eight who were either denied a vote or given one affidavit. This would hardly justify the sensational character of the headline. The chairman of the committee, the North Side Honest Election Committee, was a well-known strong Republican, Homer Hargrave, Jr., a defeated candidate for Congress.

In an article in the Tribune on November 15, Mrs. Suthers admitted by indirection the rebuttal that mishappenings could have occurred without any fraudulent intention or practice when she said, "The problem now is to find out what happened—whether the names were removed willfully or from ignorance." But Mrs. Suthers thought by now that her earlier estimate of 10,000 barred from voting was low. Her only evidence was that "from the calls I am getting, there must be many more than that number." Complaints of this kind, even when in writing, need the most careful investigation to discover whether they have any substance in them at all. And on the telephone, gossip about irregularities would seem to be much easier, yet the complainant calling may himself or herself have been at fault in the loss of the vote.

On November 18 a Tribune editorial recapitulated the case for a recount in Illinois, namely that the State might go to Nixon. At that time the count showed that Kennedy's majority was a little more than 6,000, and this seemed to the Republican officials a majority they could overcome. Then, they speculated, Southern presidential electors might give their votes to Nixon or throw the election into the House of Representatives. Then, without any citation of proof, it went on to say that, "much evidence has been accumulated already to indicate that thousands of votes in this State, and particularly in this county, were stolen."

Nothing that has been said or produced up to that time justified misinforming the citizens of Chicago, or bringing shame on the city in the eyes of the Nation and the rest of the world in this way. This point was underlined when, later on that same day, the Daily News reported that U.S. Attorney Robert Tieken said he had only 40 good cases of vote fraud under investigation. As it turned out, only two indictments were returned. Presumably the other 38 were not good.

The report of Mr. Tieken's remarks in the Daily News is mixed in a very awkward way with that of Frank Durham. He said that watchers had found cases where precinct election judges did not bother to compare the signatures on voting applications with those in precinct binders to verify the identity of the voter. This may be a case of violation of the laws and regulations, but not necessarily a case of fraud. It certainly does not justify Mr. Durham in going on further to say, according to the report, that he turned over to the jury names of persons who registered and voted fraudulently. That is

prejudging the cases, furthermore, when asked by a reporter how many names he provided to Tieken, he declined to say.

As the days rolled by, the metropolitan press, as well as the Republican officials, convinced themselves that their allegations were actually proven. They hardened in their claims. By November 19, the Tribune was talking of flagrant voting frauds. It repeated the word "stole," and added remarks by Mr. Durham on illicit votes cast, under the headline, "Complaints Drafted in GOP Recount Bid." The tenor of the article gave the impression that frauds were already proven, not that accusations were merely going to be investigated.

One of the tactics of the Tribune was to print what it calls guest's editorials—articles from other newspapers. Naturally they were articles that served to echo and reecho the charges made by the Tribune and the rest of the metropolitan press. For example, there was one printed in the Peoria Journal Star on November 22. This had no more information of a hard and provable kind than the Chicago press. It merely summarized and reiterated what that press had said, and then added more vilification and denunciation than its brothers in Chicago. The Peoria paper said: "Reports of highly reputable poll watchers are vicious—citizens lined up and told what names and addresses to give at the polling place. Obviously, to vote other people's registration, dead, alive or moved away." The editorial accepts headlines and allegations as facts.

On November 19 the American helped the good work forward by printing an article with the headline, "100 Vote Machines Can't Be Checked." But in the body of the article the explanation was given. The superintendent of voting machines, Sam De Carl, said he didn't think there was anything crooked in connection with the missing machines, but just carelessness on the part of the polling place owners—and maybe the judges. When he sent for the machines by truck, "time and time again—we've found no one." In other words, the people were simply not in. They were probably away at their work.

Mr. Fetridge said that he had learned some of the missing machines had been left unguarded in the polling places after the elections. But this also is perfectly understandable when one considers that the election officials are employed only for a few hours once every 2 or 4 years as part-time and occasional workers. They cannot be expected to be home at every minute after their duty is performed on election day. To convert this human, ordinary behavior by a turn of phrase into something that suggests a fraudulent use of the machines, is totally unwarranted.

On November 21, the Tribune said that "A preliminary check of the city voting machines shows that many votes were stolen to defeat Vice President Nixon and State's Attorney Benjamin S. Adamowski in Chicago, the Tribune was told yesterday." If the readers had read the rest of the column, they would have learned that the Tribune was told the story of alleged vote thefts by Republican officials, and, above all, by the chairman of the Cook County Central Committee, Francis X. Connell. Once again he repeated that votes were stolen. But he was only able to cite a single case which became the most notorious; this was in the 50th precinct of the 2d ward. He said, "In the case of Nixon versus Kennedy, a dozen or more votes were reported to the election board for Kennedy than were recorded on the machine."

Connell continues: "These large gaps between what the machines registered and what the election judges said was the count shows there was large scale vote stealing." But he adduced only one case. It was a case of dubious validity and no similar case occurred in the city. It was reproduced over and over again by all the metropolitan press. Given his political inclinations, it is understandable that he would go on to allege, not that his charges were based on what he already found, but that "I have no doubt that as our comparison continues we will find many more such instances." He never did.

The hollowness of these charges regarding the results of the voting machines is sharply revealed by the results of the recount of the voting machines conducted by both parties. The final results of the voting machine tally and the defective and objected to ballots as certified by both the Republican and Democratic judges showed an increase of 312 votes for Nixon out of 1,780,000 votes cast—or an error of less than one-fiftieth of 1 percent. Statisticians universally would say that this low percentage of error is a tremendous tribute to the recording of the count on the voting machines by election officials.

Later, Fetridge, chairman of the Nixon recount committee, announced that Arthur Young & Co., certified public accountants, had been retained to check the accuracy of returns. The participation of this firm in the ensuing process of checking, was referred to in the press only four or five times; and then the name of the firm entirely disappeared. Despite all of the publicity, no audit report of this firm was ever published.

From time to time, the Republican Party chiefs had misgivings about their own accusations. For example, in the Daily News of November 21, Francis X. Connell, who had made many accusations, is reported to have acknowledged that in many instances the discrepancies (in the machine results and the vote counts turned in by precinct election judges) could be accounted for by the fact that absentee ballots included in the judges' tally are not recorded by the machines, although he argued that the number of the absentee ballots could not account for the major differences in the two sets of figures. But he does not tell the public in what instances. Moreover, although Mr. Connell uses the word "errors," and here in good faith, the Daily News headline, which covered four columns, prints the word "errors" in quotation marks as though to throw doubt that they were honest errors and to suggest that they were fraudulent.

There is another instance of Mr. Connell's misgivings: in the Sun Times of November 21, he says that "some times our precinct captains (that is, Republican precinct captains) are too ambitious or make errors, too."

The Daily News of November 22 carried the headline, "Tallying Errors Bared" and a subheadline, "Charges Hurled in Vote Check." Mr. Connell charged that some preliminary figures showed that Kennedy and Ward had been credited with votes as much as 100 too many in some precincts. But he did not go as far as to charge fraud, saying, "These are obvious mistakes—made honestly or otherwise."

On November 23 a Daily News headline said: "Continue Hunt for Fraud." In the article in which it mentions that 460 aids would be summoned for questioning, it states that "the search for evidence of election fraud continued unabated." That is, it was not yet found. Then it reports that Republican leaders were frankly admitting that the votes picked up by their candidates in the big vote-machine check will fall far short of what it needed to change their defeats to victories.

The Republican complaints have now dressed themselves in the mantle of electoral nobility, bringing in the theme that they hope in the long run to point out the need for reform of the country's election machinery. It is not Chicago; it is not Illinois; it is the Nation that they have now set out to serve. And if they can correct voting frauds, this will be a service to their Nation. This is a reversal of attitude for those who have hitherto purported to believe that 100,000 votes had been stolen from the defeated party in Cook County.

This theme of electoral reform is taken up in the Daily News editorial of November 23. The impression conveyed is that the GOP is the only organization in the State or the Nation that wishes to preserve the integrity of the vote count, as it is called in the headline, and that any irregularity is a fault only of the Democratic Party.

In the Chicago Tribune of November 24, a new element was introduced in the Republican charges when Meade Alcorn, the Republican National Committee's general counsel intervened, saying that "on the basis of on-the-ground investigations I have no doubt that Illinois could wind up in the Nixon column," and that some votes "in other States look equally suspicious." This statement was unsupported by evidence.

The Tribune, on the same day, printed a long editorial with the headline, "Mounting Evidence of a Stolen Election." It combined its reiteration of the usual charges with reminders of the Pendergast scandals in Kansas City in the 1930's and on the basis of this association said: "Now the stench arises from Chicago as the evidence piles up that the tremendous Democratic majority rolled up in the November 8 election was heavily tainted with frauds." The only examples of evidence given by the Tribune to back a charge of this seriousness were the 50th precinct, 2d ward, and the material brought in, about herself but about nobody else, by their own writer, Norma Lee Browning, who provided a series of articles on how and why she had been deprived of her vote.

The records of the board of election commissioners disclosed that Norma Lee Browning, who had registered under her married name, Ogg, had moved from her residence at 163 West Burton Place, to 171 West Burton Place. Although her name should have been removed it was carried on the polling list until 1958. A suspect notice was sent out and no answer was received. Thus, her name was stricken from the polling list. Although Miss Browning wrote five articles concerning the theft of her vote, she only had one line in all of the five articles concerning her moving. She said that, of course, she had answered the suspect notice. Election officials say that they did not receive any notice. There is no evidence of fraud.

The Tribune editorial continues, "There is nothing new about vote thievery in Chicago. It goes on at every election. This year the motive for fraud was not only the presidential election, but the race for state's attorney, an office which, during the last 4 years under Benjamin Adamowski, has been embarrassing to the Democratic organization by exposing many scandals."

This amounts to saying that since there was a motive for fraud, fraud must have been present. Surely in a democratic nation where people have the right to support rival candidates, anyone has the right, as a proper motive, to beat the opposing candidate, whether for the Presidency or Mr. Adamowski for the State's attorneyship, without being charged with fraud. The editorial concluded: "The decent citizens of Chicago, Democrats as well as Republicans, ought to move on the election crooks here."

On November 24 the Sun Times had many columns devoted to the election under a headline, "County GOP Cries Fraud as Canvass Is Certified." And at this stage another accuser entered, George H. Dapples, attorney for the Nixon recount committee. He reiterated the same kind of charges that had been made hitherto, alleging in general that the election code had been violated, and there is no doubt that the election is illegal.

On November 25 the Tribune published another of its guest editorials, with the

headline, "Stolen Election." This was from a journal called "Human Events," a newsletter from Washington, D.C. The editorial did nothing but repeat the following: "GOP Claims the Democrats Stole 100,000 Votes in Order To Win the State." It went on to say, "One hundred highly responsible Chicago newsmen put the figure at closer to 150,000." But it did not identify the alleged 100 newsmen. In the Chicago newspapers this figure was not apparently reported. In spite of the fact that the editorial is headlined, "Stolen Election," this newsletter has, in the body of the article, in the smallest type, "If the Republicans can prove, etc., etc., etc. * * *." Notice: "If."

On November 26 the Tribune appealed to all citizens to purify the election process so that the franchise has the dignity and meaning it is supposed to have. But once again, its linking of purity in the election process with events in Chicago was highly prejudiced and partisan. For example, it said, "The evidence of massive vote frauds in the presidential election is apparent." The evidence was apparently that "The minute sampling of precinct manipulations permitted by the city canvass board was enough to suggest that fraudulent voting in Chicago was enough to steal the electoral votes of the State from Richard Nixon."

Can a minute sampling be regarded as evidence of massive vote fraud? The only facts adduced in this editorial were once again the 50th precinct and once again the reports of the Tribune's own reporter.

On the same day, the Tribune printed an article with the headline, "Here Are Details of Vote Fraud." Given are these alleged examples. Yet (with the exception of the 50th precinct of the 2d ward), there is not one name, one address, one source actually identified. For all practical purposes, they could be nothing but rumors, accusations from defeated candidates, or disgruntled precinct captains of the losing party.

In the Daily News on November 25, signed by George Thiem, there is an article which gives the details of a complete investigation of the 50th precinct of the 2d ward, by the newspaper. The article carries a headline, "Quiz Backs Vote Charges." The first paragraph by Thiem says: "The Daily News investigation has confirmed charges of illegitimate voting, irregularities, and violations of the State election laws in the 50th precinct of the 2d ward." Yet, buried down in the article is this statement by Thiem, "It would be hard to prove deliberate fraud in this precinct. A more likely explanation is the unfamiliarity of the election judges and their duties, and the election laws."

"The October 12–13 canvass was carelessly done, if at all," Thiem revealed. "Voting was permitted, apparently, where it should have been denied. The first removals, due to land clearance projects, led to confusion. People who move are often forced to double up at another address."

Once again we see indications not of fraud, which was consistently charged by the Daily News, but unfamiliarity with the laws, of carelessness, of difficulty in conducting an election where movement is constantly taking place in the city.

On November 26 the Daily News published an editorial headlined, "Disgraceful Vote Count Proves Need for Change." In the article there is a paragraph in heavy type that runs, "In these few days, their conduct (the Democratic members of the board of election commissioners and the canvassing board) has made it unmistakably clear that the whole system must be abolished and replaced by something that gives the voter a fair chance for an honest count."

The editorial refers to an order by the election board directing 460 election officials to report at the same hour for interrogation regarding allegations of irregularities by the Republican member of the board. Although the election board presented a defense, this was, in our opinion, an unwise directive. It was at this meeting that Mrs. Suthers walked out after the incident of the 50th precinct of the 2d ward was revealed.

However, in all fairness, it must be pointed out that in the 2 months that have intervened, there has not been one case of fraud ensuing from the precincts in which these judges served. In the same editorial, the Daily News states, "The board, at the same time, had before it indisputable evidence of a serious miscount in the 50th precinct of the 2d ward." It is true there was a miscount, but their own star reporter, George Thiem, had pointed out in an article the previous day, the confusing circumstances and the factors concerning this precinct.

On November 27 the Tribune's editorial on the recount was full of innuendo saying: "In those areas (residential wards) it is not so easy for the Democrats to steal votes," and ending with the remark, "our greatest safeguard is to be alert and to speak up when we have been fouled." In the opinion of the Tribune it is clear they believed the election had been fouled, although there was no substantiation.

On November 28 the Sun Times gave away the motive for the many accusations of fraud. It printed a story headed "Illinois GOP Has an Issue for 1962: Vote-Fraud Charges." This article written by Art Petacque states: "The party has a readymade issue for 1962, when Illinois again will elect a U.S. Senator and a slate of Congressmen, and Cook County will ballot on a raft of important local offices." And then the reporter points out what he believes to be the motive for the vote fraud charges. "If their recount efforts comes to naught, and if their charges produce not a single indictment, Republicans, nevertheless, can sit back and watch the Democrats juggle the sizzling vote fraud issue, and make plans for its use in 1962 by keeping it in the public eye."

In an article of November 26 the Tribune repeated a charge by David H. Brill, who said that his group had compiled evidence indicating that the number of ineligible voters and the number of registered voters left off polling lists exceeded 10 percent of the Chicago total registration. He gave no evidence for this immense assertion and did not say whether such an omission was to the benefit of the Democrats or Republicans.

As the grand jury probe got underway, Frank Durham again in the Tribune of November 26, was quoted as saying he "estimated there were 100,000 illegal voters in Chicago on November 8 who were allowed to vote in a mass conspiracy to steal the election."

On November 28 the Tribune reported that a seal was broken on a box containing applications for ballots stored in the election commissioners' vault. They were those of the 2d ward, 50th precinct. The insinuation was that the disappearance of the applications was a theft. The answer given by Holzman was that the ballot applications had belonged elsewhere, and the seal of the box had been broken in order that they should be removed and put in the proper place.

The Sun-Times referring to the same item gave the impression of fraud by the simple combination of a major and a minor headline. Together they read: "Voting Records Disappear," and then "Grand Jurors Begin Fraud Search Today."

In an article in the Tribune on November 30 this headline appeared: "Irate Citizens Tell Loss of Right To Vote," and the subheadline said, "Letters to Tribune Charge Trickery." The Tribune, however, gave no number. It used a generality in this way: "Angry letters about the November 8 election arrived at the Tribune by the score * * *" and alleged that most of the letter writers complained they had been deprived of their vote by the disappearance of their names from precinct lists, or that they had not received absentee ballots. The actual number of letters received was not given, but on December 3 the Tribune indicated it had received 52 such letters, surely a small result from a 3-week campaign.

On November 30, the Tribune published a special article by Richard Wilson, a Pulitzer Prize winner on the staff of the Cowles Publications, Wilson sent his dispatch to the Des Moines Register and Minneapolis Tribune. He had been sent to Chicago by Look magazine. He recapitulated the information given to the newspapers previously. Then he introduced information from Ralph Berkowitz, attorney for the Cook County Republican Central Committee. According to Wilson, he "triumphantly announced that on the basis of the informal recount Kennedy got 10 less votes than the 323 credited to him in this one precinct, and Nixon got two more than the 60 counted for him.

Then Mr. Wilson continued: "A Nixon enthusiast, Berkowitz could easily imagine that such Kennedy losses and Nixon gains spread over the more than 900 precincts and more than 475,000 votes involved would easily wipe out the previous Kennedy margin." He had nothing more to add to the flimsy evidence so far produced, but the introduction of his name and the name of the newspapers and the magazine he served was calculated to give substance to charges that were without it.

In the American of November 30 Adamowski said, "As far as the State's attorney's office is concerned, I don't suppose I'd mind if they were just stealing a courthouse; but when manipulations and machinations of a political machine are used to take over the White House, it's a sad day in American politics." And he claimed that "the Democrats in Cook County gave their candidates 75,000 to 100,000 votes that were not cast for them."

It is interesting to observe that even the American referred to Adamowski on this occasion as "flamboyantly bitter." This charge, wholly unsubstantiated, was carried by all of the newspapers in Chicago, and was repeated in one way or another in newspapers throughout the Nation—in fact—throughout the world. This totally unsupported charge cast a cloud over the presidential election not only in Cook County and Illinois, but involved the whole Nation. It was a direct blow at the entire election processes of our country. It casts a stigma on Chicago that was unfair, unproved, and unjustified. The newspapers may say that since this charge came from an official, they had proper cause to print it. But one may answer that since there was no evidence to substantiate such a grave charge, and since the source was a defeated Republican candidate, it should have at least been followed by an explanation that there was no evidence to support this wild accusation.

On November 30, a new factor was injected into the affair. The American of that date published a special message from Springfield with a headline, "Fraud Findings Could Tip State To Nixon: Stratton." Stratton, as Governor of the State, was responsible with four other members of the electoral board for the certification of the presidential vote. It was reported that he used the phrases "phoney voting" and "stolen and rigged election" regarding Cook County. And then he made an observation of supreme importance for a man who had long held responsible elective office. He said, "I want to remind you again that the decision we take on December 19 will depend on the type of evidence we get. It must be strong evidence." That evidence was never forthcoming to Governor Stratton's satisfaction, and on December 19 he voted to certify the election of Kennedy.

On November 30 the American had a four-column article with enormous headlines: "Poll Judge Admits Fraud." This headline was backed up by one example. However carefully one searches the story, there is, however, no plain and simple admission of fraud by anybody. There are some allegations of irregularities. They are in various wards, chiefly the 50th precinct of the 2d ward, or the 29th ward. It is difficult to tell from the print. A case is mentioned of one Democratic judge who would not answer a subpena because she could not leave her two children, ages 13 and 14. And there is some recapitulation of the general charges made earlier by Republican officials. But nowhere can one see the case of a single judge who had admitted fraud.

The Daily News of November 30 produced a sensation by a report that some ballot boxes were opened and found to contain nothing but string and brown paper. But the answer to this (from Election Commissioner Daly) was that it was string and bundled paper used to seal ballot boxes. "We found this in a box reserved for spoiled and unvoted ballots," and he explained, "some boards cannot follow instructions." When it was suggested that keys to a wooden ballot box were found inside the box also, Daly's explanation was that many things are found in the boxes: voting booth curtains, ink, pencils; and one master key opens up all the ballot boxes.

He intended to point out that when the heavy day of work put in by the election judges is over, they are glad to thrust aside all the apparatus and go home as soon as they possibly can, and they do not necessarily follow regulations 100 percent.

On November 30 the Daily News carried further articles headlined, "Tell Flagrant Violations; Poll Watchers Report Election Was Dirty," with the word "was" capitalized for emphasis. But the evidence contained in the article is only of the flimsy nature given before. It certainly does not prove dirtiness or fraud but suggests only plain irregularity or error. As a matter of fact, the attorney for the Joint Civic Committee on Elections, Allan Kidstone, is reported in that same article to have said that many watchers observed that "the election was cleaner than usual."

In the American, on November 30, a headline appeared "FBI Joins Vote Fraud Quiz." This reiterated GOP charges but again they did not carry with them the names of any persons, addresses, or pertinent details. Included in this story is a charge by John L. East, fifth ward Republican committeeman, who estimated "that at least 1,000 votes were cast in his ward in the names of illegally registered or nonexistent voters." This charge by East was also carried in other papers but at no time did East submit any evidence to support this allegation.

On December 2, the Tribune reported that Sidney Holzman and John P. Daly, members of the Chicago Election Board, went before the grand jury, and they signed immunity waivers before they testified and proclaimed that their office welcomed the investigation.

In the Tribune of December 2 the headline begins, "Find Vote Frauds in Seven States," and a subordinate headline "GOP Hits Illinois as Top Example." This was merely a recapitulation and a recharge by THRUSTON B. MORTON, chairman of the Republican National Committee, that the election was stolen from Nixon, and he used the word "certainly."

His evidence is curious. "Where there is so much smoke, there must be fire." And he, of course, repeats the local charge by local Republicans that as many as a hundred thousand votes are involved. The Republicans had themselves manufactured the smoke.

When the recount of the paper ballots started, the canvassing board, acting under a legal opinion declared that they, the members of the board, must count the ballots themselves. This meant that only one or perhaps two precincts could be counted daily. Whatever the reason for this action, it was undoubtedly bad judgment for the canvassing board had used many teams to recheck the vote on the election machines. This action, which threatened to hold up the recount of the paper ballots, gave the impression that the canvassing board had something to hide. But a day later, Judge Adesko reversed this slow count procedure.

When County Judge Adesko ruled that the city canvassing board could legally permit teams of canvassers to participate in the recount, the Tribune could not bring itself to accept this as a fair and decent act. Instead, it produced an editorial headlined: "The Stall Abandoned," to give the impression there was something wrong and the canvassing board had wished to obstruct the discovery by slowdown tactics.

The truth is that Judge Adesko's decision took the wind out of the sails of the propaganda. The Tribune editorial also mentions the possibility that "Republicans Stole Votes," but it showed no energy in discovering this or confessing it or sending out reporters to bring in the instances.

On December 2 in the American, Mr. Connell discussed the question of what ballots ought to be discarded. He said he presumed a court would throw out ballots he said were torn, mutilated, marked, defaced, and partly burned, or not initialed by election judges.

But Mrs. Marie Suthers unwittingly challenged Connell's charges, by saying "She is of the opinion that 99 percent of the balloting errors which Republicans have termed 'irregular' were not willful." She said that in many cases "these errors were due to ignorance of election laws." The American, however, could not leave this plain statement as it stood, but felt compelled to put the word "errors" in quotation marks as though it disbelieved Mrs. Suthers.

Mr. Berkowitz could not be satisfied with the decision to have several canvassing teams for the recount. He charged fraud and said "the Democrats have had time to go through ballots and find out that nothing will turn up," and he linked this to ballot box seals which had been found broken. However, Holzman had explained that it was not unusual for seals to be broken because of rough handling.

In the American on December 3, Attorney Elroy Sandquist said, "The audited figures obtained by Republicans from a firm they hired in a recheck of city voting machines showed a 'substantially higher' gain for Adamowski and Nixon than the gain to the officially proclaimed canvass figures. The Republican audit credited Nixon with a net gain of 1,214 votes, Adamowski with 1,616." The firm referred to as conducting an audit is apparently the firm of Arthur Young & Co. This audit was never made public and all mention of the firm and the audit disappeared from the press in the weeks to follow.

In the Tribune of December 4, the headline runs, "Marks Switched in Presidential Contest." The first paragraph of the news report says that scores of Republican votes were erased and Democratic votes substituted. But later on this positive charge is changed into "apparent erasures of GOP votes were found."

Although the term "apparent" was used, nevertheless, the Tribune went on to quote from Mr. Berkowitz, who called the situation "most flagrant" and charged that it pointed up the "utter disregard for the election laws that the Democratic machine practiced on election day."

On the same day the Tribune had an article in which it reviewed all the story up to this point. Its headline says, "Sorry Story of Frauds in Election Told." And then it proceeds, "Chicago and Cook County are the storm center of a raging election scandal, which, because of ramifications extending to the White House, has captured attention from coast to coast."

The Tribune of December 5 carried the headline, "Expect Court To Throw Out 10,000 Votes"; subheadline, "State Reversal Held Possible." The allegation that 10,000 votes would be thrown out was merely a hope by Republicans. This gave the Tribune the opportunity of once again recapitulating the charges made all along by the Republican officials. The article also contained an advertisement for the Party, "How To Contribute to Nixon's Recount Committee."

In the Tribune, December 6, the headline says, "Poll Workers Can't Explain Discrepancies," and some discrepancies are stated in the body of the article. But a possible explanation of the fact that the poll workers could not explain the discrepancies is simply that they were exhausted from a long day's work or, given their skill with figures, could not count quickly.

The Sun-Times on December 6 carried an article recapitulating many of the previous charges with practically nothing new. It carried the headline, "Two Precincts' Ballots Vanish," as though there were something guilty about their vanishing. On December 6 in the American the news was reported that the missing ballots for the two South Side wards were found among election board supplies in a warehouse, as Mr. Holzman had predicted that sooner or later they would turn up.

In the Tribune of December 7, Senator Barry Goldwater alleged that Chicago had "the rottenest election machinery in the United States." But all his material naturally came from the Chicago newspapers and from the Republican headquarters.

In the Sun Times, December 8, Mrs. Marie Brooks, national GOP committeewoman from Illinois, said that of 165 ballot boxes opened the day before, 79 had no seals, 25 had broken seals, and 121 were without signatures. At the checking of the returns, two boxes caused a flurry. One, because it was only half the size of the previous cardboard boxes, and the other because it was marked for spoiled and not used vote ballots. The boxes were opened and then the ballots recounted. There were no major surprises. As for the small box, a Republican judge from the precinct told the Sun Times that her precinct had been receiving such boxes from the election board for years. When she was asked why the election judges had not entered their names on the space reserved for such data on the box's label, she replied: "We usually put all that information on the canvass sheet. We never put it on the box. Are we supposed to?"

The Daily News, December 9, 1960, reported that the ballot recheck "sputtered to its conclusion." Several women judges from the 8th precinct, 31st ward, Northwest Chicago, had been interrogated by James E. Murphy, attorney for the election board, and James H. McLaughlin, its chief investigator. They included Republicans as well as Democrats. Their faults, which had favored Ward against Adamowski, seemed to be honest mistakes. For example, they did not understand split tickets, where the voters marked in the circle for a straight Democratic ticket but then also marked in a vote for Adamowski. In other cases his name was so far down the list and the only Republican on a split ticket that it was not noticed. The judges claimed exhaustion by the hard work in crowded quarters and that they had been harassed by Republican watchers hollering for 15 to 20 hours. Mr. Berkowitz called this explanation "brazen and arrogant."

As time went on, even the Republican national officials lowered their claims. Roy Sheaff, counsel for the GOP minority on the Senate Committee on Elections, said he had received 200 to 300 allegations of irregularities, but he "could not label them fraud because the definition of fraud is up to the

courts." But the Republican officials of Cook County, especially Mr. Connell, splashed the biggest of figures once more: the American, December 9, stated 100,000 disfranchised and 100,000 ghost voters.

On December 14, the Daily News carried the headline "Board Gets Worst Fraud Reports." It assumed and conveyed the truth of the accusation of fraud. But in the body of the article no word such as "fraud" appears. The newspaper was merely reporting the neutral news that the Joint Civic Committee on Honest Elections, had turned over to the authorities the most serious cases of voting law violations reported by its watchers on November 8. Of course, these Republican Party watchers were themselves not watched for competence or lack of prejudice. The subheadline mentioned 35 cases culled from several hundred violations reported, and this does not mean violations proven but only alleged. The president of the committee said that "most dealt with voters allegedly getting improper assistance from precinct captains." Only one case was actually adduced. Here it was alleged that a voter was told to pull a Democratic ticket lever when he asked for assistance.

The Tribune, December 15, published an editorial with the headline, "The Lesson of the Stolen Votes." It repeats the story to which it had become addicted: "There is no doubt now that thousands of votes were stolen from Vice President Nixon." Then the newspaper, having made this categorical assertion continues, "Although it is highly probable that Mr. Nixon actually won Illinois, proof of his victory is lacking." Despite this admission, the Tribune sought to supply the proof that was lacking by declaring that the Democrats confess the truth by indirection because they cry that there were Republican frauds in Cook County and downstate which counterbalanced the Democratic frauds.

Mr. DOUGLAS. I now yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I merely want to say that the last case the Senator pointed out and defended is one I never heard of before. I never mentioned it in my remarks, and I have not the slightest idea whether there is anything right or wrong. It was not mentioned in my remarks; I never heard about it before. What does it have to do with this case?

Mr. DOUGLAS. There was a good deal of mention about it before, because I was present in the Committee on Rules and Administration when this incident was put forward by Republican witnesses as propaganda and as an illustration of improper voting in Chicago. That is not true. If the Senator from Delaware did not make the charge, but others have made the charge, and the refutation should be in the RECORD.

Mr. WILLIAMS of Delaware. I do not object to the Senator's discussing the second case, but I want to make it clear I do not know whether it was right or wrong because I never heard of it before. The Senator used a quotation in which he stated that the 1960 election in Illinois was cleaner than usual. What is usual? What does that prove?

Mr. DOUGLAS. That statement was made by the Republican U.S. attorney. The Senator from Delaware referred to an incident in Chicago in which the voting list showed only 22 qualified voters in 1 precinct, but where 82 votes were cast. The fact is that the people had lived in a certain precinct. They were legally registered in the precinct. Their homes had been destroyed during the interval between the period when registration was legally closed and the voting day. They were legally entitled to vote. The fact that they showed up in places where they had been legally registered is no indication that they were not entitled to vote.

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

Mr. DOUGLAS. I yield.

Mr. WILLIAMS of Delaware. If they were legally entitled to vote why were they indicted?

Mr. DOUGLAS. At that time there was a Republican State's attorney. They were trying to show that the election was fraudulent. They were trying to throw out the votes in both Illinois and Texas, so that southern electors could vote for a third candidate, or Nixon, and steal the election from John Fitzgerald Kennedy.

Mr. WILLIAMS of Delaware. I do not want to steal the election of Kennedy; nor did I discuss the 87 votes of Texas which became so famous. I am merely stating that there have been violations of the election laws in many States, including Delaware. I have cited violations of law in our own State. I am sure the Senator will acknowledge that there have been instances of election fraud in the State of which he is proud. What difference does it make whether they were Republicans or Democrats? Let us be sure that in the future we have clean elections.

Mr. DOUGLAS. That is fine, but I object to having Chicago made a whipping boy when it is not justified, and I happen to have been one who has stood for independence inside my party in Chicago. When we do wrong, I am willing to admit it, but when we do not do wrong, I object to our being pilloried unfairly.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that an article which appeared in the Reader's Digest, entitled "Let's Make This an Honest Election," by Bill Surface, a statement by Joseph L. Bernd, associate professor of political science, Southern Methodist University, in which he discusses the Chicago elections, and the Election Research Council, Inc., report, on the Arkansas elections dated February 21, 1965, all be printed in the RECORD at this point in my remarks.

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

[From the Reader's Digest]

LET'S MAKE THIS AN HONEST ELECTION

(NOTE.—"Voting machines run by honest people can be fraud-proof. But any machine in the hands of crooks is not." Here are pointers on how to make sure your vote is not stolen this November.)

(By Bill Surface)

In the 1960 presidential election, there was an early turnout of voters in a Chicago precinct. By 10:15 a.m., the voting machine showed 121 ballots cast. Poll watchers, however, had counted only 43 voters.

A year earlier, in Lawrence, Ind., officials discovered that the voting machines' yes-no levers had been rigged to defeat a proposal to have Lawrence incorporated as a city. In Pennsylvania's primary election last April, an inquiry showed that many totals reported from Philadelphia didn't come close to resembling the correct figures on the voting machines.

Throughout the country, election frauds have reached a disturbing magnitude. Our last presidential election, decided by only 3 quarters of a vote per precinct, generated the most serious vote-fraud charges of the 20th century. The Republican National Committee received 135,000 complaints of vote fraud. In Chicago's Cook County alone, a special State's attorney charged 662 election officials with misconduct.

New York's Honest Ballot Association predicts that in the approaching election at least 2.5 million votes will be illegally cast or invalidated. Ironically, more and more of today's chicanery occurs not with paper ballots but with voting machines, the very instruments intended to end all frauds. How is this possible?

To hold that voting machines are infallible is no more supportable than to insist that money cannot be stolen from cash registers. As George Abrams, chief investigator for the Honest Ballot Association says, "Voting machines run by honest people can be fraud-proof. But any machine in the hands of crooks is not."

Since about 57 percent of all votes this November 3 will be cast on machines, the best protection for your vote is knowledge of various vote-stealing methods. Here they are.

Rigged machines: The most brazen fraud is to set a voting machine's mechanism to guarantee the outcome. Such adjustments are not difficult. A reliable citizens' group contends that manipulating one small mechanical part on a machine can stop a candidate's total vote at a predetermined figure.

Sometimes, dishonest precinct workers cast a substantial number of votes before the polls open and then cover the machine's meters with paper that reads "000." The election judges see the "000" and lock the machine. When voting starts and the cylinder turns, the paper rolls off, revealing the true figure. The trick is so far unworkable on a new model that prints a transcript of the starting and the final vote, but most machines still in use have no such deterrent.

There are other effective ways to rig any machine. If a candidate's name cannot be found nor his lever operated, nobody, of course, can vote for him. Countless voters face such a situation. In San Antonio, Tex., in 1960, citizens complained that one party's machine levers were stuck. Elsewhere, levers have been loosened or jammed; candidates' name labels are sometimes covered with tape, placed upside down or in wrong positions. "Often a half day's voting passes with a candidate's name in a wrong column," investigator Abrams points out. "His voters unknowingly cast ballots for someone else."

Misleading instructions: Poll workers can cheat by giving voters misleading or vague instructions on how to operate the machines, which, indeed, are sometimes confusing. After Pennsylvania's 1963 and 1964 primaries, disputes and lawsuits arose over thousands of votes registered for blank spaces on machines. In New Jersey in 1960, an unusually large Socialist vote in nine counties that were using a particular type of machine was attributed to error: voters had pushed a lever beneath, instead of above, a presidential candidate's label, thereby voting for Socialists listed on the next row.

Helpful poll workers: As welfare disbursements and government jobs increase, political bosses control increasing numbers of voters and like to see that these people vote "right." Laws allowing assistance (actually voting) for blind, disabled, or illiterate voters have been translated into the most widespread fraud. Precinct workers have been known to qualify voters for assistance by

distributing dark glasses to indicate blindness, gloves to fake arthritis, or by instructing them to say, "I'm afraid to use the machine." Then a poll worker places a voter's hand on the appropriate lever, says, "Here we go," and votes. "In some areas," said one State senator, "it's uncommon for a voter not to receive assistance."

Many voters in large cities are intimidated by the suggestion that the machines will reveal who they voted for. "A new trick," says Ben Adamowski, former Illinois State's attorney, "is to tell poorly educated voters that an electronic device enables poll judges to know which levers are pulled. Voters are afraid a 'wrong' vote will be used against them or disqualify them from relief or unemployment compensation."

Planned traffic jams: Election boards, when under dominant party rule, sometimes assign only one machine to a large, though unreliable, precinct, while allotting enough machines to sure precincts. Lengthy lines in precincts hostile to the bosses are thus formed and often are padded with political workers. As a result, busy people rushing to and from jobs become discouraged and fail to vote.

Machine breakdowns can cause even longer delays. Manufacturers deny that machines can be jammed, but normal machine problems occur in most elections, and sometimes a paper clip, pin, or match is found forced into a strategic spot. In Jefferson County, Ky., the election board received 150 calls about jammed machines during the first hour of voting in the 1964 primary. Many persons waited as long as 45 minutes for repairmen to come, then left the polls without voting.

Incorrect reporting: Voting machines that do not provide printed totals can be defrauded by poll workers reporting the totals incorrectly. To make the error seem inadvertent, the numbers may simply be transposed. If, for example, a candidate receives 172 votes, "271" may be called out by a poll worker; if an opponent receives 95 votes, he is given "59." In Chicago, a special State's attorney investigation of the 1960 election revealed that at least 32 machine totals were incorrectly reported. (One candidate received 44 votes, reported as 4; another received 207 votes, was given 7.)

One-sided observation: Theoretically, competent representatives of both parties should be at the polls to prevent fraud. "But it's nearly impossible to get a full complement of Republican poll watchers in Democratic-dominated cities like Chicago," says Bruce Felknor, executive director of the bipartisan Fair Campaign Practices Committee, "and the reverse is true in Republican strongholds like downstate Illinois." Few people will buck political machines.

Many schemes are employed to evade the surveillance of the minority party's judges and observers while fraudulent votes are cast. Polling places have been moved at the last minute, without notifying all poll workers. Poll watchers are drawn into arguments, then reported as "troublemakers" to police; or they are summoned to the phone by planted calls. Some poll watchers have even been given drugged coffee, candy, and cigarettes.

Vote-fraud convictions, in proportion to crimes discovered, are rare. The dominant party has usually committed the fraud, and, in the event of disputes, it recounts on its own terms. If anyone is caught, the party can provide both prosecutor and judge. In Chicago, the charges against 662 election officials for irregularities in the 1960 election were, after the most meager of preliminary hearings, dropped. It was pointed out by observers that the judge who freed everyone had (1) certified the officials to serve in the first place, and (2) dismissed the charges without listening to more than a fraction of the evidence. Said the Chicago Tribune 3 years later, in describing Chicago's 1963 election: "Vote frauds went on as usual, but nothing was done about them."

Such frauds are likely to be repeated nationwide on November 3 unless aroused citizens take the initiative to secure an honest vote. Citizens can volunteer to work with existing nonpartisan election groups, or propose that their church, civic, professional, or labor groups organize what the Honest Ballot Association calls small armies of observers. As Brendan Byrne, executive director of the American Heritage Foundation, puts it, "Motorists don't speed if they know the police are right behind them. Alert poll watchers can prevent vote frauds."

Dishonest election officials may argue that poll watchers' activities are against the law. Volunteer groups should study State election laws, obtainable from each State's secretary of state. Before the election, these groups should make a door-to-door check of registration lists to confirm every voter's existence. Between elections, at least 10 percent of all registered voters either move, die or become ineligible to vote in that district. Unethical party workers use these names to enter voting booths.

These steps can substantially reduce frauds on machines:

Examine every voting machine before the polls open. Verify that all levers and tabs operate correctly, that all candidates are listed, and that all counters start at "000." Rub the counter to see if "000" has been pasted over another set of numbers. After a few votes are cast, doublecheck the accuracy of the numbers on the counter.

Ascertain that poll workers represent both parties. Suggest that their affiliations appear on name tags.

If a machine stalls, photograph the total votes on the counter before and after repairs. If long delays occur, demand another machine; call party headquarters, police and the press.

Insist that "demonstrations" be made only on model machines, the instructions be given clearly and fully, and that all voters be told that the machine assures a secret ballot.

If a voter genuinely needs assistance, see that both parties' representatives help him. Challenge anyone who presents a printed card claiming inability to use a machine; emphasize that it is a felony to falsify such information, and that the date and nature of any disability must be specified. (If this condition existed during registration and wasn't noted on the application to vote, the voter is ineligible for assistance in most States.)

When the polls close, one watcher should observe the judge who reads the total votes, another watch the person recording them. A watcher should see that the machine totals match figures on the signed return. Never allow radio or TV deadlines to cause the tabulations to be rushed. Afterward, make sure that both parties' representatives immediately return the machine to the election commission.

Above all, remember that today—if you're not looking—voting machines can carry your precinct.

Protecting the Integrity of the Vote: The Problem of Fraud

(Joseph L. Bernd, associate professor of political science, Southern Methodist University, conference on election administration, sponsored by the centers for politics at Chatham College and the University of Pittsburgh, Oct. 5 and 6, 1962)

The problem of protecting the ballot from irregularity, like the problem of factions as defined in Federalist X, may be met either in an attempt to eliminate the causes, or to control the effects. Unfortunately, the latter policy, achieved by means of statutes, administratively applied and judicially protected, has suffered some pernicious results. Sometimes statutes have been ignored, or circumvented. Assuming that all of the loopholes in the law can be plugged, a serious difficulty remains: the solutions themselves often create new problems.

In this paper the attempt will be made to indicate some patterns whereby the objectives of narrowly conceived ballot reforms have been defeated, or new problems have been incurred, when almost exclusive emphasis is placed on institutional means. It will be argued that ethical values, not merely lawmaking and administrative tinkering, must be emphasized, that reformers must attack the root causes of ballot irregularity—apathy toward or ignorance of procedural standards and moral venality or indifference toward essential values in a constitutional democracy. The brevity of the paper precludes any complete treatment of the subject and suggests illustrative use of a single electoral controversy.

The Chicago, Ill., election of November 8, 1960, has been chosen for study, not because it was exceptionally corrupt either in quantitative or qualitative terms, but because considerable basic data are available as a result of investigative and legal effort. Secondly, the occurrence of some irregularity despite the relatively advanced Illinois system of election administration facilitates insights regarding limitations of the administrative system and logically postulates a need to attack the causes of electoral malpractices.

The Chicago dispute involved election of presidential electors and a State's attorney for Cook County (which includes all of Chicago and most of its suburbs). Both elections had been won by the Democrats: Kennedy electors gained an official statewide plurality of 8,858 over Nixon electors out of over 4 million votes cast in Illinois, and Daniel P. Ward secured a margin of 26,049 votes over Benjamin S. Adamowski for State's attorney out of over 2 million votes cast in Cook County.

1. The Breakdown of Enforcement

In 1960 the Illinois Election Code included several enlightened reforms: permanent registration,[1] a preelection canvass to verify the registration data,[2] requirement of a signed application for voting at the polls and comparison of the signature on this application with the signature on the permanent registration card.[3] The five election judges assigned to each precinct were chosen to insure bipartisanship and were required to qualify in terms of good character and competence.[4] All except 906 of 5,199 Cook County precincts were equipped with voting machines.[5]

Illinois procedure included a preelection training course to acquaint election judges with their duties under the law. But attendance was not mandatory, the course lasted for 1 hour only and no compensation was offered as incentive for attendance. The average length of service by election judges was short, and only about 20 percent of them attended the annual course. Consequently, a majority remained deficient in

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[1] Ill. Rev. Stat. c. 46, 5–6 (1959). Cf. National Municipal League, "Model Voter Registration System," 1957, 15–24. To clear the records, replete with deadwood because of laxity in the canvass, the general assembly provided for complete reregistration in 1961. Ill. Rev. Stat. c. 46, 5–6 (1959).

[2] Ill. Rev. Stat. c. 46, 5–11 to 5–13, 5–25, 5–35 (1943).

[3] Ill. Rev. Stat. c. 46, 4–22 (1957). Joseph P. Harris, "Election Administration in the United States" (Brookings: 1934), 381–382, recommends comparison of signatures to prevent voter impersonations.

[4] Ill. Rev. Stat. c. 46, 14–1 to 14–4 (1957).

[5] Ill. Rev. Stat. c. 46, 24–1 to 24–23 (1943) authorizes voting machines.

adequate training, experience, and knowledge of the law.

In 1961 a 4-hour training course, followed by an exam, was made mandatory for election judges in Cook County. A $5 compensation fee was provided and failure to attend was declared to be prima facie evidence of neglect of duty.[6]

Republican preparations for election day, 1960, were aimed to combat the strong machine of Democratic Mayor Richard J. Daly. State's Attorney Adamowski recruited volunteers, including young attorneys and law students, to intervene at the polls if irregular practices were reported. A poll watcher for each candidate, or party, in a precinct is authorized by Illinois law, and the watcher need not be a resident of the precinct. Citizen volunteers, armed with this useful statute, were stationed in large numbers as watchers, especially in the precincts expected to produce trouble.[7] With Republicans in control of the State administration in Springfield and the spotlight centered on Chicago by the attentions of the metropolitan presses, auguries were good for a well-conducted election.

Yet, the election actually revealed several failures in enforcement of statutory voting procedure. According to law, if the name of the applicant for a ballot is on the voting list but his card is not in the permanent registration binder, he may vote, but only if he and one other voter in the precinct execute affidavits, testifying to his identity, qualifications and place of residence.[8] Watchers complained that this provision was violated in two ways: (1) by a failure to secure the proper affidavits and (2) by allowing some applicants to vote although their names were neither on the voting list nor in the binder.[9]

The most widely publicized "fraud" in Chicago occurred in the 50th precinct of the second ward. Eighty-two votes were cast here, although the voting list showed only 22 qualified voters. The discrepancy is explained by the return to vote of many persons who had been compelled to move due to housing redevelopment and whose names had been removed from the voting rolls in this precinct. Election judges permitted them to vote in the 50th precinct although, according to law, they were required to transfer their registration elsewhere, or to reregister if they moved out of the jurisdiction. All except four of the votes were cast for Kennedy electors. Republican judges were not permitted to serve because they were not residents of the precinct. Other errors included improper affidavits, unqualified election judges, illegal assistance to voters, and the loss of the ballot applications after the election.[10]

Possibly as a result of the missing ballot applications and the attendant publicity, the general assembly in 1961 enacted a more stringent requirement for the protection and preservation of election records.[11] Republican officials ultimately conceded that irregularity in this precinct was due largely to the ignorance of election judges and voters rather than to any conspiracy to commit fraud.

In explaining registration errors in general, Chairman Sidney Holzman, of the Chicago Board of Election Commissioners, noted that the records contain 30,000 errors on the day after completion of the canvass. The explanation indicates a chronic problem in any large electoral jurisdiction: Voters change their residence or die; single women marry and legally change their names. Officials are not notified of these developments in many cases. Clerical errors occur.[12]

In fairness to Chicago officialdom several qualifications may be noted: The Holzman figures represent only 1 percent of the 3 million persons registered to vote in Cook County in 1960. Registration errors actually verified after thorough investigation of complaints amounted to a small fraction of 1 percent. There was little evidence of fraud. Most erring officials were women, evidently unfamiliar with the law.

The 1961 reregistration may clear the records momentarily. The mandatory training course ought to insure correct procedures in the precincts. But it is difficult to see how accurate registration records may be guaranteed. Illinois law already provides for access to postal records showing changes of address, but postal records may not be up to date. Two needed reforms failed to pass the general assembly in 1961. One bill, to eliminate duality of control, placed election administration for the entire county under direction of the Chicago Board of Election Commissioners. The other provided for selection of the Board's staff personnel on a merit basis.[13]

Yet these reforms, however commendable, overlook one significant point. A considerable volume of the electoral errors in Chicago facilitated the right to vote, even though applicants failed to comply with all technical requirements. It should be remembered that the generality of voters is often unfamiliar with the numerous legal technicalities of election law. Therefore, the more stringent the enforcement and the more complex the procedure, the greater will be the disfranchisement. One who favors a restricted, class democracy may welcome a reduced suffrage, but democratic theory aims toward the fullest participation of the citizenry. The problem is, at heart, a question of values. Consistent with the Democratic ethic, two objectives must be attained: (1) protection of ballot integrity and (2) facilitation of the most complete participation in the franchise.

2. THE PROBLEM OF DISFRANCHISEMENT

Under Illinois law only a cross mark, or X, is valid for marking paper ballots. State courts have declared invalid all other marks, including checks, or underlinings. The two lines of the cross must intersect within a box, printed on the ballot opposite the name of the designated candidate, party, or question. Contrary to this rule, Chicago election judges in 1960 counted several thousand votes according to what they regarded as the intent of the voters, although these ballots were marked by means other than the required cross.[14]

In earlier times Illinois allowed the use of discretion by election judges to interpret the intent of voters. After the adoption of the secret ballot in 1891, ambiguous markings were declared invalid in *Parker* v. *Orr*, 158 Ill. 1002, 1004 (1895), but in subsequent cases the courts held that *Parker* v. *Orr* made the cross mark mandatory.[15] A majority of States, including New York, Pennsylvania, and California, adhere to laws similar to the later Illinois decisions. California requires rubber stamp marking.

The majority view is designed to protect the ballot from the election judges. If discretion is granted, it is difficult to see how the line can be drawn between proper and improper exercise of judgment. The history of elections furnishes much evidence of abuse when vague discretion is permitted. Yet when the intent of voters is clear, the disfranchisement which results from enforcement of the rigid rule is an exorbitant price to pay for the protection afforded.

The question of rigid enforcement versus disfranchisement permeated other aspects of the Chicago controversy. When complaints were received that applicants to vote were denied ballots, the Chicago Tribune claimed "fraud."[16] Subsequent investigation revealed that in most cases these complainants had changed residence from one precinct to another without giving notice, or had permitted their registration to lapse. In some cases clerical errors accounted for the loss of the vote.[17] Another technical violation was the failure of election judges to initial all ballots voted. Contrary to the statute, these ballots were counted in some precincts.[18] Had this provision been followed, additional voters would have been disfranchised through no fault of their own.

Investigation of the election revealed some incidence of illegal assistance to voters. Illinois law permits assistance only to the physically handicapped and to illiterates. Aid must be requested by affidavit. Some critics of the Illinois system would restrict the right of assistance to the physically handicapped only. Rigid enforcement of this reform would, of course, increase disfranchisement. A more salutory reform would be the requirement of voting instructions on paper ballots. Illinois law now prohibits the use of instructions on the ballot.[19]

The evidence available does not offer assurance that increased use of voting machines would eliminate the disfranchisement problem. A recent literature suggests that machines contribute to disfranchisement when special propositions are on the ballot. Experienced officials note also that voters may cast a blank ballot by pulling down the small levers and returning them to the original position in the mistaken belief that their vote is recorded before they pull the large lever or switch. The Chicago data indicate two additional problems which the machine has failed to solve: (1) illegal assistance and (2) discrepant totals—when more votes are cast on the machine than are accounted for by the total of vote applications.[20]

3. DOES THE END JUSTIFY THE MEANS?

The several types of electoral error which have been described raise the important

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[6] Ill. Rev. Stat. c. 46, 13–2.1, 13–2.2, 14–4.1, 14–5 (1961).

[7] The Committee for Honest Elections, alined with the Republicans, accumulated voluminous data from the election day notes made by watchers. These complaints were the basis for subsequent investigation and legal action. Watchers are authorized by Ill. Rev. Stat. c. 46, 17–23 (1949).

[8] Ill. Rev. Stat. c. 46, 4–22 (1957).

[9] See "Petition of the Illinois State Electoral Board" (from the Republican Central Committee of Cook County), 7–8.

[10] See "Preservation of Evidence in Federal Elections," hearing before the Subcommittee on Privileges and Elections of the Committee on Rules and Administration of the U.S. Senate, 87th Cong., 1st sess., 22–24, 45–46.

[11] Ill. Rev. Stat. c. 46, 29–10 (1961).

[12] Chicago Daily News, June 24, 1961.

[13] At present the county is composed of two jurisdictions for electoral purposes. The authority of the Board extends to Chicago and some suburban areas. The remainder is under the jurisdiction of the county clerk.

For a report and analysis of the failure of reform in 1961, see Roger E. Henn, "Chicago History Repeats Itself," National Civic Review, vol. L, No. 8, Sept. 1961, 445–446.

[14] "Petition to the Illinois State Electoral Board," 7–8.

[15] The latest case is *Scribner* v. *Sachs*, 18 Ill. 2d, 400, 414 (1960). See also James E. Herget, "Judicial Legerdemain and the Disappearing Right To Vote," University of Illinois Law Forum, vol. 1960, 336–340.

[16] Chicago Tribune, Nov. 26–Dec. 14, 1960.

[17] See "Preservation of Evidence in Federal Elections," 10–12, 28–29.

[18] "Petition to the Illinois State Electoral Board," 8.

[19] Ill. Rev. Stat. c. 46, 17–14 (1959). Harris, "Election Administration in the United States," 184–185, notes the need for instruction due to infrequent elections, complex procedures, long ballots, and changes in procedure.

[20] "Preservation of Evidence in Special Elections," 38.

question of intent and knowledge. Did Chicago election judges knowingly violate the law? As previously noted, ignorance of the law was evident in many instances, but it is hardly credible that this explanation accounts for all of the hundreds of officials in the precincts in which irregularity occurred.

A considerable volume of error in paper ballot precincts was the result of miscounting alone. The consistency of the patterns of error is circumstantial evidence of partisan fervor. Otherwise, why should the Kennedy total be consistently overcounted and the Nixon total consistently reduced in strongly Democratic precincts? Why should the reverse pattern be consistently true in Republican precincts? [21]

As a result of a recount, Presidential Candidate Nixon gained unofficially 943 votes. The gains for Adamowski were much larger. The average net error, 1.04 votes per precinct in the contest for presidential electors, is not large. In some individual precincts, however, the proportion of error was quite large, ranging up to well over 100 percent. It is difficult to believe that none of these mistakes was intentional, such as 41 votes being counted as 21, or 78 votes being recorded when 162 were actually cast for a candidate. A number of errors were complimentary—one candidate receiving improper credit for 10, 16, or 11 votes and the total of his opponent being reduced an equal amount.

The circumstances of the Illinois election indicate motivational forces capable of exciting intense partisanship. In the presidential election Illinois was a key State with 27 electoral votes. Forecasters anticipated a very close election nationally. The religious issue was injected into the campaign in downstate Illinois with particular grossness and, it appeared, effectiveness. Republican fire in Chicago, led by an exceptionally partisan press, was directed against the Daly machine. Election night returns showed an early and surprisingly heavy Kennedy margin in Chicago, reduced somewhat by the suburbs. As the night advanced, this margin was reduced almost to nothingness by heavy downstate Republican pluralities. In the predawn hours with only a few paper ballot precincts unreported in Chicago and downstate, the Illinois decision remained doubtful. This decision might well decide the national election, or so it seemed.

The Daly forces, in the opinion of many, were more desirous of winning in the contest for State's attorney than even in the presidential election. Republicans were equally determined on victory for Adamowski, and this contest, too, was close throughout the count.

It is scarcely surprising under these circumstances that the incentives for victory in the minds of some partisans might have outweighed scruples for correct procedures. Although less publicized than those of Chicago, electoral errors in downstate areas were not unknown prior to the 1960 election.[22] On the night of November 8–9, 1960, partisans on both sides probably thought the opposition was engaged in miscounting in its strongest precincts. When this view predominates in the partisan mind, there is often the determination to fight fire with fire.

The foregoing pages suggest the motivation and the circumstantial evidence of some deliberate irregularity. But what is the opportunity for fraud, especially when Illinois requires bipartisan boards of election judges in every precinct? Is fraud likely, or possible, when competitors watch each other? Unfortunately it is, when the supposed Republicans in low income neighborhoods are often actually members of the Democratic organization. Republicans claim that the Chicago Board ignores the law which permits appointment of one judge from outside the preinct.[23] A bill, requiring mandatory appointment, when needed, of one outside judge from each party, failed to pass in the 1961 session of the general assembly.

Legal efforts to revise official returns and to punish for misconduct may be briefly noted. Errors in paper ballot precincts were not corrected because under the law it is not mandatory that recount findings be made official. Evidence appeared insufficient to overturn the election of Kennedy, or of ward. Declining to go behind the official returns, a Republican dominated State electoral board certified Kennedy electors and the Adamowski contest was dismissed by the court.[24] Later, investigation by Special Attorney Morris J. Wexler led to citation of 677 persons, mostly election judges, for civil contempt of court.[25] All of these cases were dismissed due to procedural errors in collecting evidence, or due to the lack of evidence indicating intent to defraud. Finally, three persons were convicted of altering paper ballots from Republican to Democratic.[26]

Looking at these results, one might argue that the quantity of error and/or fraud in Chicago was unimportant, that the local presses "created" a crime wave at the polls, and that statutory reforms already promulgated are sufficient guarantees for the future protection of the vote.

This view must be rejected. Chicago press charges of gigantic "fraud" were irresponsible,[27] but the dismissal of legal contests and the dearth of convictions in the courts resulted from legal obstacles not indicative of any absence of irregularity. Complacency is precisely the type of attitude which invites deterioration of ballot integrity, and, in a community with a dominant one-party organization, the safety of ballot procedures may be inevitably precarious. The failure to correct admitted errors, or to secure convictions in over 99 percent of the cases, may encourage future misconduct. The pattern of reform, piling detail upon detail, complexity upon complexity in proliferous configurations, is administratively self-defeating. Efficiency is impaired and voting is inhibited. In the contempt hearings the judge doubted that any Illinois election judge adhered to every legal detail.[28]

Electronic systems, utilizing high-speed mark-sensing, counting and storage functions to handle paper ballots, should enhance efficiency in the conduct of elections, but probably new problems will result. The human agent will remain a factor and, in the opinion of this analyst, ballot integrity may be jeopardized whenever the human element is a factor. Mere laws and gadgets are inadequate when the basic causes of misconduct remain unattended, when men are willing to sacrifice the integrity of procedures in the interest of immediate means to win immediate ends. What is needed, along with sound laws and advanced technology, is understanding and commitment to the values of highest worth in democratic society.

To suggest that agreement on substantive policy is necessary to the viability of a constitutional democracy is a contradiction in terms. Viability requires competition in ideas and interests. Democracy is the right of free citizens to make a choice of public policy and personnel from among alternatives. But if this system is not to deteriorate into some inferior form, free citizens must understand and value the principle of constitutionalism: "effective, regularized restraints" on power. The elective principle is among the most important of these restraints. When interests compete and citizens choose, some men and interests inevitably gain disproportionate power, but the integrity of the system of choice must be cherished above the success of any candidacy or interest. There is no guarantee of the safety of a constitutional system unless a people wills it to be so.

It is known that social values and private consciences are more vital in securing adherence to law than is the threat of coercion.[29] This knowledge is valuable for combating the forces which spawn electoral misconduct. Election officials, entering upon their duties, are required to subscribe to an oath to obey the law. The performance is a routine one and no doubt the official often regards the law as intricate, tedious, cold, and narrow. If the oath taker can be led to see the law as an imbodiment of the ethic of constitutional democracy, the integrity of electoral procedures might contain real meaning for him.

Participation in elections is perhaps the ordinary citizen's most tangible link with his constitutional system, unless income tax payment fulfills this mission. The time of voting must become an occasion for sensitive public awareness that elections are indices for determining whether a nation of emergent maturity is yet capable of emerging as a completely civilized society.

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[21] "Petition to the Illinois State Electoral Board," 5–6. See also "Preservation of Evidence in Federal Elections," 16. Among the 55 precincts in which errors were largest, Kennedy carried 48. Of these, he received a net advantage from error in 38. Of seven precincts carried by Nixon in the group, he received a net advantage from error in five. In 33 of 40 precincts in which error favored Kennedy, his total was augmented and the Nixon total was reduced. In 8 of the 15 precincts in which error favored Nixon, the Nixon total was augmented and the Kennedy total reduced.

[22] U.S. Senator PAUL H. DOUGLAS cited for the record some proven irregularities in downstate elections. The Senator certainly did not offer one electoral misdeed as justification of another, but his evidence adds weight to the Democratic contention that the entire State ought to be recounted before the fact of Chicago irregularities is allowed to overturn the result of an election. See "Preservation of Evidence in Federal Elections," 48–50, 70.

[23] Ill. Rev. Stat. 46, 14–1 to 14–4 (1943, 1957). The reports of poll watchers apparently failed to include any evidence of miscounting.

[24] "Preservation of Evidence in Federal Elections," passim.

[25] Illinois election judges are commissioned by the county judge and, after being sworn in, they are officers of the court and may be cited for civil contempt if they are guilty of misconduct. See *People ex rel Marski* v. *Spikes*, 333 Ill. App. 387, 77 NE 2d 565 (1948).

[26] Associated Press, Chicago, Mar. 3, 1962.

[27] See Herman Finer, Jerome G. Kerwin, and C. Herman Pritchett, "An Analysis of the Press Coverage of the 1960 Election in Chicago" (privately printed: 1961), reprinted in condensed form as "Chicago's Vote Fraud Hoax," the Nation, Feb. 25, 1961.

[28] Chicago Tribune, June 29, 1961. National Municipal League, "Model Election Administration System," 1961, 3, notes "the typical * * * clutter of inflexible detail" and, to achieve reform, favors increased "centralized responsibility and administrative discretion."

[29] See Talcott Parsons, Edward A. Shils, and Robert F. Bales, "Working Papers in the Theory of Action," (Free Press: 1953), 1–12. See generally the writings of Morroe Berger.

THE ELECTION RESEARCH COUNCIL, INC., REPORT, FEBRUARY 21, 1965

The first postelection report of the Election Research Council summarizes activities and findings of the council from November 3, 1964, to date. It does not purport to be a comprehensive summary of election irregularities occurring in the November election. To compile such a summary would require the full time and effort of scores of people over many months.

Rather than cover the entire field, the council has attempted to concentrate its efforts in the area of absentee voting. The reason for this is apparent. Until the requirement was imposed by amendment 51 that voters must register in person, the absentee ballot boxes were subject to manipulation almost at will.

For example, anyone could purchase poll tax receipts for an assortment of gravestones, and then apply by mail for absentee ballots. The county clerk, seeing that the applicants were listed in the poll book, would then send the ballots and voters' statements to the designated address. The ballots would be returned and counted.

It is generally agreed that there was more purging of absentee ballots this general election than ever before. This was due in part to the intense heat generated by the presidential and gubernatorial races and the controversial nature of some of the amendments on the ballot. Local option and other local issues also played an important part in many areas. Despite this widespread casting out of ballots, our preliminary studies indicate that the total 30,930 ballots actually counted was bloated with fraudulent and invalid votes.

As previously indicated, our studies are incomplete at this time and we are therefore unable to specify exactly how many of these votes were fraudulent or otherwise invalid. If the ratio established thus far continues, it is probable that well over half of the 30,930 absentee votes are invalid. It is well to point out that this estimate does not take into consideration those voters who were not qualified voters either because of residency or other reasons. Neither does it take into consideration those applications with doubtful reasons for voting absentee listed.

A superficial leafing through applications and voter statements gives firm purchase to the proposition that residency and reason-for-absence requirements were not enforced. If these factors were considered, it is doubtful that there were 10,000 valid absentee votes cast in the general election of 1964.

Now that registration of each voter in person is required under Arkansas constitutional amendment No. 51, the problem of nonresident voters will be minimized. But, as the following report reflects, many of the abuses occurring in absentee voting could have been avoided if county clerks were more conversant with the absentee voting laws and with their duties in connection with it. For example, if an invalid application is received into the office of a county clerk, that clerk does a disservice to the voter by issuing him a ballot and voter's statement. Without an application in legal form, the ballot should not and may not be counted. Properly, the clerk should refuse all illegal applications and request the voter to make new application in legal form.

An additional problem encountered by the council was the inaccessibility of some records. Many fraudulent votes were no doubt cast and counted in the absentee boxes because some county clerks refused to allow public inspection of the absentee applications in advance of election day. This was certainly the case in Jefferson County, and we speculate that this would have been the case in Madison County to a greater extent than the few affidavits in our files reflect.

In many counties, we found conscientious county clerks who welcomed inspection of the records and who had a broad knowledge of our absentee voting laws. In those counties, in nearly all instances the absentee voting laws were followed to the letter with the result that illegal votes in those boxes were kept to a level below 10 percent. To name just a few, we were particularly impressed with the offices of the county clerks in Mississippi, Lonoke, Izard, Calhoun, Drew, and Lawrence Counties.

Although our investigation of the November election is by no means complete, we present some of our findings to date:

A. NURSING HOMES

The absentee boxes were utilized by many nursing homes in the State as a means of bloc voting in the November election. Of course, this is not a novel procedure. Following the Democratic primary, for instance, the GPW Negro nursing home administrator, Newport, Jackson County, was charged with commission of a felony after he purportedly forged the absentee applications of 44 patients, one of whom had been dead for some months.

But this November the political activity in nursing homes hit a new high. The reason can be found in a letter written by Charles A. Stewart, executive secretary of the Arkansas Nursing Home Association, to its constituent members. That letter is as follows: (First, a memorandum to Governor Faubus concerning legislative proposals is set forth.)

"You will notice from the above memorandum that a great deal of work has been done toward the three State classification of nursing homes. We feel very sure that with your help and 100 percent effort from all the nursing homes in the State of Arkansas, that we can put this plan into effect in full in early 1965. To do this we still must do several things. We must have the complete cooperation of as many State senators and representatives as possible and this is where you come in. We may and we will ask you to do some things which will require some work and a little money, but we cannot stress strongly enough that this is a must. We must have your help. One of the first things that must be done is that we need your help in securing a poll tax for each of your nursing home patients who do not have a new poll tax receipt and a poll tax receipt for each of your employees. It will be necessary for you to contact each employee and each patient to see if they have a new poll tax receipt which will be good for the November election. These may be bought until September 30 of this year.

"After making this survey of your own nursing home or nursing homes then we ask you to go to your county courthouse and secure poll taxes for every patient and every employee who does not have one. After doing this it is most important that we have, in this office, a list of these patients and employees with their poll tax numbers. There are about 7,000 nursing home patients in Arkansas at this time and an estimated 5,000 employees, so you can see how effective, politically, that a stack of these listings with poll tax numbers will be to us. This is an effort that requires the help of every nursing home in the State. Cooperation by half of the nursing homes simply will not get this job done.

"Again let us say that this is the most ambitious program that the nursing homes in Arkansas or any other State have every undertaken. We have plans to change the entire regulations of both the health department and the welfare department and effect a complete new pay scale which will more equitably reimburse you for the care you are now giving your patients.

"We are most sensitive to the fact that the present rate of payment of $105 by the welfare department is woefully inadequate to care for those intermediate and skilled care patients who need care the most. The responsibility of caring for these patients is shared jointly by the State welfare department and the owners and administrators of the private nursing homes in Arkansas. We strongly believe in the future of proprietary type nursing homes. We want to make them stronger, and better, but at the same time that responsibility shared with us by the State welfare department must of necessity be truly shared in equitable reimbursement.

"This brings us to the summary in our memorandum to the Governor. Even though this new program will probably go into effect in early 1965, you need help now. The small raise we have asked for is dictated by the small amount of funds available to the Welfare Department for the balance of this year. We cannot assure you now that our request will be granted; we can assure you we are doing our best.

"Sincerely yours,

"CHARLES A. STEWART,
"Executive Secretary."

The Pine Bluff Commercial, some 2 months ago, carried an article on voting practices at the Kilgore Nursing Home in Jefferson County. The newspaper pointed out that at least three of the Kilgore Home voters were also on the list of persons who had been committed to the State hospital for the mentally ill. Two of the names of voting patients corresponded with the names of persons adjudged mentally incompetent in Jefferson County.

The Commercial interviewed one patient at the Kilgore Home who stated that he couldn't say whether he voted or not, but that if he had, he didn't know for whom he voted.

The Commercial also determined that the home maintains a political folder, containing all of the poll tax receipts for the patients. The home paid for some 60 of the poll taxes. The administrator of the home, Mick Vaskov, stated that political materials had been received from the Nursing Home Association, including a brochure favoring amendment No. 55 (legalized gambling).

The council submitted the applications for poll tax receipts, the applications for absentee ballots, and the voters' statements accompanying the ballots for some 60 of the patients in the home to its handwriting analyst, who detected a number of forged signatures, and in fact stated that in his opinion many of the "x" marks of patients who presumably could not write were forged, 18 by 1 person and 13 by another. The analyst has formed an opinion as to the identity of the person making the 18 marks.

In absentee box No. 4, where the Kilgore patients were voted, only about 126 votes were cast. That box markedly deviated from the Jefferson County averages, being overwhelmingly in favor of Governor Faubus, and amendment No. 55 (legalized gambling), and overwhelmingly against amendment No. 54 (voter registration).

Other Kilgore Nursing Homes are located in Dallas County, where 70 patients voted absentee. Strenuous objections were raised to counting many of these votes where the patients had been transferred from the State Hospital for Nervous Diseases in Benton to the homes, but the votes were nonetheless counted.

The election officials of the absentee box in Saline County disqualified all the absentee ballots cast by or for patients at the Doyle Shelnutt Nursing Home in Benton during the November election, because all applications had been delivered to the county clerk by the Shelnutts personally, and this is not legally acceptable.

Previously, the Shelnutts had carried many of the patients to a polling place to vote in the Democratic primary. But this time, all were voted absentee. One lady, whose grandmother was in the home, objected to the purchase of her grandmother's poll tax receipt by any third party, and also objected to her grandmother's vote being cast in any election. Immediately following the election, she and her family were requested by Mrs. Shelnutt to remove her grandmother from the home.

Affidavits on file in the council office quote Mrs. Shelnutt as stating that she purchased poll tax receipts for many of the patients. Of course, this was contrary to our election laws.

The Pioneer Nursing Home in Melbourne, Izard County, with Mrs. Boyce Cook as administrator, was also politically active. Analysis of the handwriting of the 49 applications for absentee ballots reveals, in the opinion of the analyst, that 47 of these signatures were forged by the same person, and two others were authored by still another person. Scrutiny of the signatures on the voter statements showed that 34 of these signatures were forged by the same person forging 47 of the signatures on the applications. The handwriting analyst has formed an opinion as to the identity of the person forging these many signatures.

Interestingly enough, the forger made no effort to conceal the similarities in handwriting on the applications, but did attempt to cover up the forgeries on the voters' statements by simulating the shaky, erratic handwriting of the very old and the infirm.

Similarly, handwriting analysis revealed forgeries in the applications for absentee ballots and the voter statements from the patients in the Twin Lakes Nursing Home at Mountain Home, in Baxter County. The expert's opinion is that 11 of the applications and 12 of the voter statements were signed by the same person, and that still another person executed the signatures on 6 applications and 6 voter statements. Here again, the forger attempted to disguise and vary his handwriting.

Boland Nursing Home in Howard County also produced some forged voter statements and applications. The handwriting analysis showed at least seven discrepancies in marks and signatures on the documents, and further showed that whoever filled out all the applications also signed signatures to at least two of the applications and two of the voter statements.

The Mitchell Nursing Home in Danville, Yell County, had a number of patients voting absentee. Of these, in three cases the signatures on the applications did not correspond with the signatures on the voter statements. And the signatures on five of the applications and corresponding voter statements were all made by the same person, in the opinion of our handwriting analyst.

The foregoing is not intended to be a complete listing. Many other instances are under investigation. Some instances cannot be investigated. For example, in Crawford County the applications for absentee ballots from patients in a nursing home there are not in the files of the county clerk.

We do not imply that any of the patients in any of the nursing homes are abused or receive anything other than the best of care. But it is apparent that after the urging of Mr. Stewart, many administrators of nursing homes found it their duty to "get out the vote," even as to senile or disoriented patients. An interesting footnote is that the 1965 Arkansas General Assembly has enacted the legislation sought by Mr. Stewart.

B. OTHER FORGERIES

In addition to the forgeries detected that stemmed from nursing homes, the handwriting analyst has discovered hundreds of other examples.

Taking the worst for illustration, in Phillips County, there were 835 names on the absentee voters list. Of these, 209 names were either illegible or not in the poll books. Of the remainder, 223 were white and 403 were Negro.

The Phillips County Clerk, Warfield Gist, had on file only 301 applications. He stated that the remaining 534 persons were allowed to vote absentee without applications. Of course, these votes should not have been counted. In addition, there were only 744 voters statements, 91 less than the total number of absentee votes counted.

Taking the first 500 names on the absentee voters list, 326 are Negroes, of whom 195 reside in the fourth ward of Helena. This number represents over 20 percent of the total number of Negro voters listed in the poll book for for that precinct.

We were curious about the cause of this remarkably heavy absentee vote, and interviews with local Negroes disclosed that Jack and Amanda Bryant, Negro proprietors of the Dream Girls Beauty Shop in Helena, were extremely active in the solicitation of absentee votes in this ward.

Our handwriting analyst informs us that in his opinion more than 100 of the voter statements from the Helena Fourth Ward bear signatures forged by the same person. The identity of the forger has been determined, and the information is being forwarded to the proper authorities.

Ward Four, Helena, was not the only Phillips County area in which absentee voting fraud occurred. Our handwriting expert found other groups of statements which were signed by common authors, but as yet these persons signing the names of others have not been identified.

One indication that these fraudulent ballots may have been voted almost as a bloc is the lopsided results in the most controversial issues: Amendment No. 54 (voter registration) received 169 votes for and 528 votes against. Amendment No. 55 (gambling legalized) received 599 votes for with 96 votes against.

A great many other instances of suspected falsification of signatures on absentee applications and voter statements from other counties are being studied and examined for a report at a later date.

We should observe at this juncture that some counties with a previous history of questionable absentee voting practices were exemplary in the November election. For instance, in the Democratic primary in Desha County there reportedly were more than 100 forgeries on absentee ballot requests in an unusually heavy absentee vote. This was brought to the attention of the public officials and citizens as a result of an election contest.

In the general election in Desha County no forgeries were detected. Only 4.3 percent voted absentee, irregularities seemed to be at a minimum, and the absentee vote outcome was substantially similar to the total vote of the county, indicating that no faction exploited the box. The county clerk did an excellent job of attending to the absentee applications.

This is an example of the improvement that can be made in the conduct of elections when improper practices are brought to the attention of public officials.

C. NONRESIDENT VOTERS

Under our previous system of no voter registration whatever, quite a number of voters would cast their ballot in their county of residence, while at the same time continue to vote through absentee procedures in another county.

Of course, a few individuals in the State exerted some extra effort and voted in person in more than one county. Probably the worst performance in recent years in nonresident voting fraud was turned in by the resident of a county in the Arkansas River Valley who, while traveling through the northwest portion of the State on election day, cast his vote personally in at least four counties. This is not an isolated instance, but it is certainly the most outstanding one. Prior to the passage of the voter registration amendment, there existed no effective system of controls to prevent voters from voting on both sides of a county line if poll taxes were purchased in both counties.

Former residents vote

Then there is another category of migratory voter. In this classification fall former residents of counties who continue to hold poll taxes in those counties and who continue to vote in those counties, not realizing that this is taking place. In illustration, a spot check of the absentee voters in Poinsett County produced affidavits from six or eight nonresidents who stated that they did not purchase a poll tax for Poinsett County, that they did not have the poll tax receipts in their possession, that they authorized no one to purchase their poll tax for them, and that they had not made application for absentee ballot. Nevertheless, the names of these persons are shown in the Poinsett County poll book; and applications, obviously forged, for absentee ballots were mailed in. Some of these fraudulent applications were among the more than 175 applications received by the Poinsett County clerk from Box 256, Trumann. Apparently this box number was used by some political group as a means of colonizing voters.

Madison County highest

Based on some fact and considerable speculation, we would place Madison County high on the list of areas infiltrated by nonresident voters.

Inasmuch as the Madison County voting records, previously inaccesible, disappeared on January 13, a complete study of election frauds there will be impossible.

The highest percentage of absentee voting in the State is an indication that the absentee box in Madison County was manipulated for political purposes. More than 1 of every 10 votes cast in Madison County was cast in the absentee box. This packing of the absentee box resulted in a remarkable departure from the county averages. For example, in the Governor's's race, Faubus received 64 percent of the total Madison County votes. But he received 91 percent of the votes cast in the absentee box. The discrepancy on the other issues and races were considerably less dramatic than this, except as to proposed amendment No. 55, which received a favorable vote on 56 percent of the votes cast in the absentee box, but only 41 percent of the countywide votes.

Affidavits on file

The affidavits and tape recordings on file now with the council reflect that political workers in Madison County went into the surrounding counties persuading residents of those counties to vote in the Madison County absentee box. How many fraudulent votes were cast in this fashion may never be determined, but the fact remains that it did happen. Now the persons who cast those fraudulent votes in the Madison County absentee box cannot be brought to justice for the crimes committed due to the stubborn refusal of the county clerk, Charles Whorton, to permit examination of the voting records prior to their theft.

Migratory voter problem

The migratory voter problem was also present in Perry County. Although the precentage of clearly invalid applications is rela tively low when compared with other counties, many of the applications have been filled out by the same person and mailed to persons outside the county and State for their signatures. In such cases, there is an indiscriminate use of the term "work" as a cause for being absent. Nine and one-half percent of the total vote of Perry County (which exceeded the number of eligible voters as shown by the last census) were cast in the absentee box. We have contacted several longtime residents of Perry County and have gone over the list of absentee voters with them. A large number of these absentee voters are unknown to the Perry County residents of the wards in which the voters are supposed to reside.

As our studies are still incomplete on Perry County, we can offer no statistics at this time.

Conway County, the perennial home of the out-of-State voter, once again opened its absentee box to the applications and votes of

many persons who have not lived in Conway County for many years. Indeed, some of the votes cast were by persons who have not entered the State of Arkansas in recent years. Other than the problem of adulterating the Conway County vote with the votes of nonresidents, no other unusual problems were encountered, although this county's results are still being studied.

In all counties where nonresident voting has become a problem, there were few if any controls over the purchase of poll tax receipts. In fact, in some counties poll tax receipts were purchased in large blocks by politically active personages for individuals who would not otherwise have paid a dollar for the privilege of voting.

Irregularities and noncompliance with laws

Many thousands of illegal votes were cast in the November election simply through failure of the voters or the county clerk to conform with the laws. The most extreme example is that of Pike County. The voter list shows that 190 absentee votes were cast and counted. Nevertheless, only 135 applications were on record, of which 127 were clearly invalid on their face. Some applications were not on the prescribed form, some were not signed by the voter, some gave no reason whatever for being absent from their precinct, and some were no more than notations on a scratch pad. This left only 8 possibly valid votes of the total of 190.

But apparently there were no voters' statements submitted with the ballots, none being on file. This means that Pike County, if in fact the voter statements were not presented, had no valid absentee votes. A majority of the absentee applications examined from Pike County were written on commercial pads from the clerk's office, and were filled out by only one or two persons. At present, these applications are in the hands of a handwriting expert to examine in particular those applications which appear to the untrained eye to be signed by the same person.

In Polk County, failure to strictly comply with the law resulted in the invalidity of about one-third of the 459 ballots cast. In many of these instances, the applications were not signed by the elector. Other applications were simply in letter or memorandum form and not in compliance with our election laws. Other applications gave no reason or an inadequate reason for voting absentee.

Of the 254 absentee ballot applications examined in Monroe County, 87 were invalid on their face, all for failure to meet the requirements of the law. On some applications, persons other than the applicant signed. On others, the requests were made by letter or on notes rather than on the prescribed form. And in others, no reason or an insufficient reason was given for being absent.

Of the 246 applications examined from Cleburne County, there were 156 invalid on their face. Not all of these 156 persons applying voted, 124 actually casting ballots. The problem in this county is that most of the applications were made by letter.

The council previously observed, in news releases prior to the November election, that hundreds of applications for absentee ballots in Garland County were illegal for much the same reason as those listed above for the other counties. One difference, however, is that in Garland County error was invited by furnishing prospective absentee voters with a form of application which permits it to be signed by one other than the voter. Of course, votes cast upon such an application would be illegal and void.

A high percentage of invalid applications was also noted in Woodruff County, where of 153 votes counted, 65 were illegal because of invalid applications.

The problem of sloppy procedures in administration of absentee voting was graphically illustrated in Logan County, where an election contest for the office of county judge was recently concluded.

In Logan County, 375 absentee votes were cast and counted. Of this total, 147 were declared illegal during the course of the trial of the election contest. These votes amount to some 39 percent of the total absentee vote, and the illegalities were primarily the result of failure of the applicant to make application on the prescribed form or failure of the applicant to sign the application. As to those applications received in time, the county clerk could and should have returned the illegal applications to the applicant advising the voter to submit another application in proper form. Had this simple procedure been followed, those voters would not have been disenfranchised and their votes could have been counted in that very close election contest.

E. CONCLUSION

The foregoing findings, as we have observed, should not be considered a comprehensive review of all fraud involved in the November election. Even the limited areas studied by the council have not been completely explored.

The council files are replete with evidence of voting frauds occurring at the polls, but not so easily categorized as the studies we have chosen to present in this initial report. But as we have stated, our files are open for inspection by anyone as to any of our areas of inquiry.

We would like to acknowledge our appreciation to the civic groups, volunteers, county clerks, county election commissioners, and Democratic and Republican Party officials without whose assistance we could not have conducted this study.

We hope that something good may come of our study. With necessary revisions in our voting laws, greater appreciation of the election process on the part of the people, and willingness of Arkansas citizens to perform their public duty from time to time by serving as election judges and clerks.

Our election process, at best, is rather inefficient, but it marks the difference between our democratic society and totalitarian systems. The voice of the people can best be heard through the ballot, and we should never condone or close our eyes to any condition which would pollute or adulterate the integrity of the vote in any election on any candidate or issue.

Mr. DOUGLAS. At one time there were election frauds in Chicago, and they were at their height between 1915 and 1931. During 12 of those 16 years William Hale Thompson was mayor of Chicago, and he was a Republican. During all those years there was a Republican Governor in Springfield. During all those years the Republicans in effect controlled the city. At that time election frauds were probably greater than at any other time. There was collusion between the upper world headed by Samuel Insull and the lower world headed by Al Capone, and William Hale Thompson was the middleman between the underworld and the upper world.

I do not say that the Democratic Party was perfect during this period. Of course it was not. But I do say that the worst frauds in our city occurred under Republican direction. I protest this attempt to hang vote frauds around the neck of the Democratic Party in Chicago and around the legitimacy of the 1960 elections because it is not true.

John F. Kennedy honestly won the State of Illinois. He was honestly elected President of the United States. There was an attempt to steal the election by throwing out votes in Illinois, and possibly votes in Texas, and then getting a number of electors in Southern States to disregard their solemn pledges to vote for the Democratic candidate and to vote instead for either some third person or for Richard Nixon. Those are the facts in the case.

I believe that is enough comment, except that in the hearings held before the Committee on Rules and Administration of the Senate, on July 13, 1961, a great deal of testimony was taken on these points. The Senator from Nevada [Mr. CANNON] cross-questioned Mr. Sidney Holtzman, chairman of the Chicago Board of Election Commissioners, a distinguished and brave World War veteran, about the alleged frauds in the 50th precinct of the second ward—which must be the one to which the Senator from Delaware has referred. It was alleged that most of the people had moved out of that precinct and that 89 votes had been cast out of 189 on the list.

Mr. President, I ask unanimous consent to have printed in the RECORD Mr. Holtzman's reply on pages 58 and 59 of the hearings.

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

Senator CANNON. Some reference has been made here to the 50th precinct of the 2d ward, wherein it was alleged that most of the people had moved out of the precinct, but approximately 89 votes were cast out of 189 on the list.

Mr. HOLZMAN. Right, sir.

From that precinct on the Thursday before the Tuesday of election, a political leader of the second ward appeared with Mrs. Suthers in my office and advised me that the precinct had been abandoned.

This was the Thursday before the Tuesday of the election.

We immediately sent investigators out. There were some 200-odd names listed as residents of the precinct. Our investigators went out and located at that time 189 of the people listed as residents of the precinct.

We advised Mrs. Suthers and the gentleman who made the complaint that after 60 days prior to an election, we could not realine a precinct line; that the precinct had to be retained. So the precinct was left intact.

On election day some 89 people voted. After the election and during the time of the canvass, the charge was made that none of these people were bona fide residents of the precinct.

We were conducting a canvass when this charge was made. After we were through with the canvass, I ordered our investigators to go into that precinct. Our investigators contacted every one of the persons who had resided in that precinct, and we have in our possession affidavits of 89 persons who stated they voted in that precinct on election day. That was the total vote.

There was a discrepancy of one; allegedly, the candidate for Democratic President got one more vote, or, rather, an overcast, and we located that vote. That was a gentleman who was in the service and under our statutes he was not required to be a registrant. He had the privilege of voting as a serviceman.

We located every one of the persons and we have affidavits. The application for ballots we have never located. It is a peculiar situation. We located the Democratic precinct captain. We located the Republican precinct captain. The Republican precinct captain has a criminal record as long as my body. That was the representative of the Republican Party in that precinct on election day. He is a man whose word cannot be taken.

In fact, from time to time he has offered to be of assistance to our office, if we award him certain compensation. We have no faith in him.

The applications were stolen; we never located them; but we located everyone who voted, and in two instances we have statements from people who no longer lived in the precinct but admitted in their statement that they went back and voted in that precinct erroneously. They had no right to, but they did not vote in any other precinct on election day.

With respect to the judges of election, the statement was made that they do not reside in the precinct. Their apartment was damaged by fire. They moved to an area on the west side.

Where a domicile is temporarily abandoned, we always believe that the voter having the privilege to vote should be allowed to return to precinct, if he intends to come back, and vote.

That has been the practice of the Chicago Board of Election Commissioners. Those two people——

Senator CANNON. That has been the practice over a period of time?

Mr. HOLZMAN. Over as many years as I can recall, Senator. Those people came in and testified, and when questioned on their address, they gave an address on the west side. The Republican judge of election, who did not serve, was advised by the Republican representatives, who made the complaint to us originally, not to serve on election day; she had moved out of the precinct but still was in the ward and could have gone back and served in the precinct on election day, if she had not been informed not to serve.

The other Republican member of that board was removed by the board of election commissioners because she violated the law by making a faulty canvass at the time of the registration in October, submitting names of persons who did not live in the precinct.

Senator CANNON. This morning it was also stated that in one precinct voting machines were located so that the precinct watchers could see how the votes were cast. Do you know anything about that?

Mr. HOLZMAN. That is the first I have heard of that.

Senator CANNON. In the 20th ward, west of the University of Chicago, it was claimed that there were lotteries and the buying of votes.

Mr. HOLZMAN. I investigated that, Senator.

Senator CANNON. You did? What were the circumstances?

Mr. HOLZMAN. Yes, sir. The gentleman responsible for that lottery is an employee of our office. He is an assistant precinct captain. They went to every voter in the precinct and gave him a card with a number on it and said:

"If you go to vote, after you have voted, drop that card in the box. We will have a drawing after the polls are closed, and if your number is drawn, you will get a chicken or a ham or a slab of bacon."

It was not done to influence them to vote for any particular candidate. Every resident of that precinct was solicited.

Senator CURTIS. What was the return on the presidential election in that precinct?

Mr. HOLZMAN. I do not know, Senator.

Senator CURTIS. That was the 6th precinct of the 20th ward?

Mr. HOLZMAN. I do not know, Senator.

Senator CURTIS. You have no idea?

Mr. HOLZMAN. No, sir.

Senator CURTIS. You do not have any idea who carried it?

Mr. HOLZMAN. No, sir, I do not; truthfully, I do not. We have that record. It is of record in the office, and I would have it.

Senator CURTIS. It is the 6th precinct of the 20th ward?

Mr. HOLZMAN. Right, sir; so I heard it is.

Senator CURTIS. Would you supply this committee with the vote for both the prosecuting attorney and the President of the United States?

Mr. HOLZMAN. As soon as I return to Chicago, I will mail it to you, sir.

Senator CURTIS. All right.

Mr. DOUGLAS. Mr. President, I do not intend to bandy charges with the Senator from Delaware, but the Democrats in Chicago do not have to steal ballots to win elections. We showed that last fall when we piled up a majority of more than 600,000 votes for Lyndon B. Johnson in the city of Chicago, and carried the State for him by over 800,000 votes.

This process of nibbling away at the prestige of the Democratic Party and of the 1960 elections is preparatory to throwing dust over the forthcoming elections, either in 1966 or in 1968, or it is a desperate attempt to head off genuine electoral reform in Southern States where large numbers of Negroes are deprived of their constitutional right to register and to vote.

Therefore, I felt that I should take the floor and clear up these intercessions which the Senator from Delaware has made. I notified the Senator from Delaware that I intended to take the floor. I am very glad that he came. I am also very glad that he has had an opportunity to listen to my reply. I have always found him to be an honorable man. I believe that, upon reflection, he will wish to apologize and to modify his remarks. I detected in his statement some modification already.

Mr. WILLIAMS of Delaware. I assure the Senator from Illinois that I am not going to modify my remarks in regard to the Chicago elections. I would point out that I never referred to the second instance of election irregularities to which he referred. I did refer to the first instance. It was part of the report which I have placed in the RECORD. This report does charge that 82 votes were cast in the district in which only 27 people lived. The homes had been torn down, and the report placed in the RECORD states that they were not eligible to vote under Illinois law.

Mr. DOUGLAS. The Senator has said that his amendment would not affect this incident if the 89—not 82—people were eligible to vote under Illinois law. If that is true, Chicago should not be used as a horrible example.

Mr. WILLIAMS of Delaware. Chicago was not selected as a horrible example. I placed in the RECORD examples affecting not only the Democratic Party but also the Republican Party. I stated time and again that I believe there are just as many honest people in the Democratic Party as there are in the Republican Party.

Mr. DOUGLAS. That is a handsome admission, and it is true.

Mr. WILLIAMS of Delaware. I would object to anyone taking any particular case that we may have discussed as it affects one political party, and then use it as a blanket indictment for all the members of that party.

Mr. DOUGLAS. Remember one of the Ten Commandments: "Thou shall not bear false witness."

Mr. WILLIAMS of Delaware. I am hoping that the Senator from Illinois will remember that commandment when he defends the State of Illinois. I do not believe he wishes to say that in Illinois there has never been any election fraud.

Mr. DOUGLAS. Of course not. They flourished chiefly under Republican rule. They flourish now primarily in Republican counties.

Mr. WILLIAMS of Delaware. I do not argue as to which party. I shall not even debate whether it flourishes under Republicans or Democrats. If it does flourish now in Republican counties as the Senator from Illinois has just stated, I hope that he will join me in my amendment to clean it up. I am more concerned with offering an amendment that will make it a crime to buy votes, whether in the Democratic Party or the Republican Party. It should be a crime for either political party to buy votes. That is what we are trying to accomplish in the amendment. The cases I cited today included one example in the State of Delaware. I know that we have had other instances in my State, including instances relating to our own political party of which we are not proud. I have never stood on the floor of the Senate and asserted that only one political party is right and the other is wrong. I am not trying to debate between the virtues of the political parties. The question is: Do we wish these votes to be counted honestly? Do we wish to make sure that a citizen not only has a right to vote, but that when he does vote he will not lose it as a result of one which may have been cast illegally?

That is all I am trying to accomplish under the pending amendment. So far as defeat of the pending bill is concerned, I wish to make clear that I supported that section of the Civil Rights Act of 1964 which I thought would guarantee the right of every American citizen to vote. We are now told that that section of the bill did not do the job. I am not quarreling with that point. I am going to support the necessary legislation which will do the job. I believe that Congress has a responsibility if we have not already done it to guarantee to every citizen in this country—I do not care what his race or where he lives—the right to vote, and I shall support the legislation that is necessary to achieve that objective any time, anywhere, and I have done so in the past.

Mr. DOUGLAS. May I reply?

Mr. WILLIAMS of Delaware. But I say at the same time, let us make sure that this is a clean election. In asking for this I certainly would not wish to cast a reflection upon either political party.

Mr. DOUGLAS. The Senator has done so.

Mr. WILLIAMS of Delaware. No.

Mr. DOUGLAS. The Senator has done so against my city of Chicago, and against my State of Illinois.

Mr. WILLIAMS of Delaware. No. I have not.

Mr. DOUGLAS. The Senator has done so.

Mr. WILLIAMS of Delaware. Not any more than I did in talking about my own State of Delaware. I mentioned three States today. I mentioned the State of Arkansas, the State of Illinois,

and I also mentioned the State of Delaware. If the facts in Chicago reflect on the State so be it.

Mr. DOUGLAS. I went by the UPI report of the Senator's example which came out on the wire. That example was not true.

Let me say that my friend the Senator from Delaware seems to be modeling his talk upon Arthur Clough's version of the Ten Commandments; namely, the Pharisees' Ten Commandments in which he interpreted the Commandment "Thou shalt not bear false witness" as follows:

Bear not false witness. Let the lie have time on its own wings to fly.

The Senator from Delaware is allowing this lie to——

Mr. WILLIAMS of Delaware. Mr. President, I do not wish to quarrel with the Senator. I believe that this matter is much too important for that, but rather I will read a part of what a Mr. Joseph L. Bernd, professor of Southern Methodist University said in a report, I read from it:

The most widely publicized "fraud" in Chicago occurred in the 50th Precinct of the Second Ward——

Mr. DOUGLAS. That is the one I have been speaking about.

Mr. WILLIAMS of Delaware. I placed this in the RECORD a few moments ago.

Mr. DOUGLAS. Do so. Professors sometimes get their facts wrong, especially when they are Republican professors.

Mr. WILLIAMS of Delaware. The Senator from Illinois, being a professor, is in a better position to discuss the virtue of professors than I am.

Mr. DOUGLAS. Yes, they sometimes get their facts wrong.

Mr. WILLIAMS of Delaware. I do not wish to debate that point. As I have said the Senator is a better judge of what professors are like. Let me say that I have my facts right.

Mr. DOUGLAS. They are not infallible.

Mr. WILLIAMS of Delaware. Mr. President, I continue reading:

Eighty-two votes were cast here, although the voting list showed only 22 qualified voters.

Mr. DOUGLAS. I have explained that. The example does not support his case.

Mr. WILLIAMS of Delaware. Surely. The Senator has explained it, and I am going to read it again because I believe that the Senator from Illinois should know the facts.

Mr. DOUGLAS. "Bear not false witness. Let the lie have time on its own wings to fly."

Mr. WILLIAMS of Delaware. Mr. President, if the Senator from Illinois has concluded his remarks, I shall resume the floor. Has the Senator from Illinois completed his remarks?

Mr. DOUGLAS. The Senator from Delaware said he did not mean to do it. Now he does it again.

Mr. WILLIAMS of Delaware. If the truth hurts, I am sorry.

Mr. DOUGLAS. The truth does not hurt. Lies hurt. These statements hurt. They are not true. I am trying to apply some therapeutic value to the misstatements that are being circulated by the Senator from Delaware.

Mr. WILLIAMS of Delaware. I wish the Senator from Illinois to have all the time he desires to take. He may proceed. Has he finished?

Mr. DOUGLAS. Yes.

Mr. WILLIAMS of Delaware. I would appreciate it if the Senator would not interrupt my remarks, and let me read this statement. Then I shall be glad to yield to him again.

Mr. DOUGLAS. Who has the floor, Mr. President? Do I have the floor, or does the Senator from Delaware have the floor?

Mr. WILLIAMS of Delaware. If the Senator from Illinois wishes to proceed, I shall wait.

The PRESIDING OFFICER. The Senator from Delaware has the floor.

Mr. DOUGLAS. When did that happen?

The PRESIDING OFFICER. The Senator from Illinois yielded the floor.

Mr. DOUGLAS. That is the old trick. Talk about stealing votes, the stealing of the floor has just happened.

Mr. WILLIAMS of Delaware. I shall wait until the Senator from Illinois has completed his remarks. He said he was through. I shall be glad to wait.

The PRESIDING OFFICER. The Chair apologizes for having become involved in the theft with the Senator from Delaware.

Mr. DOUGLAS. Things are moving a little rapidly. What is the present parliamentary situation?

The PRESIDING OFFICER. The Senator from Delaware has the floor.

Mr. WILLIAMS of Delaware. I am waiting for the Senator from Illinois to finish, to yield the floor.

The PRESIDING OFFICER. Has the Senator from Delaware yielded the floor?

Mr. HART. Mr. President, if there is no further business——

Mr. WILLIAMS of Delaware. Has the Senator from Illinois yielded the floor?

The PRESIDING OFFICER. Has the Senator from Illinois yielded the floor?

Mr. DOUGLAS. I had not thought that I had yielded the floor. I thought I had yielded to the Senator from Delaware for a question. Now I find that under the guise of asking a question the floor has been taken away from me. I shall not be as trusting the next time.

The PRESIDING OFFICER. The Senator from Delaware has yielded the floor back to the Senator from Illinois. Does the Senator from Illinois yield it back to the Senator from Delaware?

Mr. WILLIAMS of Delaware. Let the Senator from Illinois speak. I enjoy listening to him.

Mr. DOUGLAS. The Senator from Delaware is bringing up the old chestnut about the 50th precinct in the 2d ward in Chicago, where he says 82 votes were cast out of 189 registered. The correct figure is 89. It was found that 22 voters were living in the precinct where the votes were cast. The others were legally registered but bulldozed out of their homes between the close of registration and the date of the election—or in the period just prior to the election. That is the old refrain. John F. Kennedy carried the State by 8,800 votes. This is a minor matter compared with the majority. However, the point is that these were people who were registered legally and entitled to vote. Their homes had been bulldozed during this period, and there was no precinct in which they could have voted. They were not entitled to vote in the precinct where they were residing, because they had not lived in that precinct long enough. Therefore they went back to the homes from which they had just been evicted, and voted in that precinct.

The point is that there was no fraud involved. The imputation that there was fraud is completely false. The Senator from Delaware should not circulate such stories.

I believe I have said enough. I shall be glad to yield the floor to our friend from Delaware. I am informed that the purchase of votes is already covered in the Federal Corrupt Practices Act. Therefore, it is the opinion of counsel that I have consulted that the amendment of the Senator from Delaware is unnecessary. I may vote for it, Mr. President. I shall have to look at it first. In spite of its origin, I may vote for it. I wish to say that the evidence that has been submitted in support of it is flimsy and false. The Senator from Delaware in general is a very honorable man.

I now yield the floor. The Senator from Delaware may continue.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. WILLIAMS of Delaware. I thank the Senator from Illinois for his graciousness. I shall read an excerpt from the report. The entire report has been put in the RECORD. It was prepared by Joseph L. Bernd, associate professor of political science of Southern Methodist University for the Conference on Election Administration. The report is dated October 5, 1962.

I have already put the entire report in the RECORD. Professor Bernd specifically points out that while the charges of fraud in the Illinois election were exaggerated there was evidence of fraud. He goes on to say that there was some fraud in Illinois. I read again what he said in connection with the 82 votes:

The most widely publicized fraud in Chicago occurred in the 50th precinct of the 2d ward. Eighty-two votes were cast here, although the voting list showed only 22 qualified voters. The discrepancy is explained by the return to vote of many persons who had been compelled to move due to housing redevelopment and whose names had been removed from the voting rolls in this precinct. Election judges permitted them to vote in the 50th precinct although, according to law, they were required to transfer their registration elsewhere, or to reregister if they moved out of the jurisdiction. All except four of the votes were cast for Kennedy electors. Republican judges were not permitted to serve because they were not residents of the precinct. Other errors included improper affidavits, unqualified election judges, illegal assistance to voters, and the loss of the ballot applications after the election.

Possibly as a result of the missing ballot applications and the attendant publicity, the general assembly in 1961 enacted a more stringent requirement for the protection and preservation of election records. Republican officials ultimately conceded that irregularity in this precinct was due largely to the ignorance of election judges and voters rather than to any conspiracy to commit fraud.

In explaining registration errors in general, Chairman Sidney Holzman of the Chicago Board of Election Commissioners noted that the records contain 30,000 errors on the day after completion of the canvass.

Mr. President, I do not wish to read all of this. The entire report is already in the RECORD. The report points out the manner in which the cases were dismissed and there were some indictments. All of this report is in the RECORD. I point out again that there have been instances of election fraud—and I repeat it—in Illinois, much as it may hurt my good friend from Illinois. I have great respect for him. There has also been evidence of fraud in my own State. I regret to say it. We have had prosecutions for it in our State but not always. Sometimes it has been taken care of, and some times not. The other State I mentioned was the State of Arkansas. I emphasize again very strongly that I was not citing the State of Arkansas, either, to discredit Arkansas because I did not think anything that happened in that State was anything that perhaps did not happen also in my own State or in other States. I put all this in the RECORD before to point out the need for the pending amendment. The Arkansas report was prepared by the Research Council under date of February 21, 1965.

These are examples of what is going on in various areas of the United States, not on the basis that it is a reflection or an indictment of any political party, either Democratic or Republican.

I am not saying that one party is better than the other party. I readily admit that I have just as many friends in the Democratic Party as I have in the Republican Party, and I have just as much respect for members of the Democratic Party as I have for members of the Republican Party. I would resent anyone using what I am saying as a blanket indictment against any party.

If there is any buying of votes, and if it is being done by either party, even if it is being done by the Independent Party, let us clean it up. All I am trying to do with the pending amendment is to make sure that it will be a Federal crime to buy votes in any State. I do not care to which political party a person sells his votes; it is wrong.

Nor will I argue about which political party has been the most corrupt in the city of Chicago.

I am aware of the fact that in years gone by there was a corrupt machine in Chicago under the Republican administration. I am perfectly willing to admit that, although I am ashamed of it. There have been corrupt political machines in Philadelphia under Republican administrations, and there have been some in Delaware. I am not trying to argue which political party is better. On the other hand, let us not use this as an argument against something that we should do in connection with the bill. Furthermore, I am not trying to weaken the bill so that it will not be effective in guaranteeing a person's right to register.

I say again, as I said when I opened my remarks earlier today, that I intend to support legislation that is necessary to guarantee that every person in our country shall have the right to vote. I am not standing here in an effort to defeat the bill. I support the principle of the bill. I hope to get it in such form that we shall have an effective piece of legislation. That is all I am trying to accomplish. The articles that I have asked to have printed in the RECORD refer to fraud under the Democratic Party; and they refer to it also under the other political party. They refer to it primarily as being fraud and un-American, wherever it may be and whoever may be involved.

I have worked with the Senator from Illinois many times. I know that he wants clean elections as much as I do. I am confident that when the roll is called on my amendment and many other amendments dealing with the subject which we have been discussing, whether he offers them or I offer them, we shall both be voting together.

Mr. DOUGLAS. Mr. President, one final statement to clear up the subject. I was not speaking against the amendment of the Senator from Delaware. I have been rather busy the past 2 or 3 days and I have not had an opportunity to study it. As I said, I may vote for it. I am informed that corruption in the purchase of votes is a violation of the Corrupt Practices Act. It is therefore already illegal under Federal law. Cases involving such fraud can be prosecuted by the Department of Justice.

I see in the chair the distinguished former Attorney General of the United States, the Senator from New York [Mr. KENNEDY]. He had an opportunity to prosecute such cases. He did not do so, because I am sure he found no fraud. And there was no fraud in the example from Chicago cited by the Senator from Delaware. That is the point. I am glad he has now said "there was no evidence of fraud" there.

The Senator from Delaware has brought forward erroneous evidence in support of his charges. The charge mentioned by the UPI happened to be a charge which referred to my own city. It is because I knew intimately the circumstances connected with that subject that I felt I had to defend the honor of my city and the honor of the political organization to which I belong in the city of Chicago. I feel particularly sensitive about this, because frequently we in the city of Chicago are blamed for things which happened 30 years ago as a result of things which happened generally when the Republicans were in power.

Not that the Democrats in Chicago are perfect—not at all. But the bad reputation which Chicago acquired was acquired during the period between 1916 and 1931. That was the period in which Al Capone dominated the underworld, and it was the period in which Sam Insull dominated the upper world—both Republicans. Capone was the virtual leader of the First Ward Republican organization; and there were sent to Springfield characters who disgraced the city and disgraced the State as Republicans.

William Hale Thompson, was the intermediary between the upper world and the underworld. During those 15 years the Governors in Illinois were Republican. There was Governor Lowden from 1916 to 1920, an honorable gentleman, but not one who cleaned up the city by any means. From 1920 to 1928 we had Len Small, a Republican, as Governor.

With respect to him I would ordinarily follow the motto "De Mortuis Nil Nisi Bonum."

Then from 1928 to 1932 we had Lewis L. Emmerson—all of these men were Republicans.

I object when false charges are brought out on the floor of the Senate, are given publicity, and go out over the wires to the Nation, and are used to throw doubt upon the election of John F. Kennedy in 1960, to besmirch the Democratic Party, and to injure it improperly in the elections to come.

The Senator from Delaware is an honorable man. His political philosophy is much more conservative than mine. But on the Finance Committee we have voted together a great number of times. I have paid him public tribute for certain courageous votes which he has cast. I shall continue to do so. I merely say that in the present case he allowed his partisan zeal to get the better of him, and, by imputation, he made charges which were erroneous and which, if he had examined them carefully, he would have known not to be true.

I yield the floor.

Mr. WILLIAMS of Delaware. Mr. President, I do not wish to delay the Senate. I respect the right of the Senator from Illinois to defend his State whenever he feels the honor of his State to be attacked. Earlier I included my own State of Delaware as an example in the same manner I did other States. I only wish to add that the honor of the State of Delaware is such that is needs no defense.

Mr. DOUGLAS. Mr. President, I could stir up the lions again. I could refer to the attempts for about 20 years by Mr. J. Edward Addicks to become a Senator from the State of Delaware. I could refer to the corruption of the Delaware Legislature during this period, having recently read a book entitled, "Stop Sin in the Senate," which goes into the subject in great detail. But I shall not do so.

Mr. WILLIAMS of Delaware. I hope the Senator will not do so, because if he did I would be forced to point out that we have a Democratic legislature, and if I recall correctly Mr. Addicks was a member of the Democratic Party. But I do not want to go into that. What difference does it make?

Mr. DOUGLAS. But Mr. Addicks was aided by the Republicans, and the Senators' specific example was aimed against the city of Chicago and was not an example which supports his case.

INTERNAL REVENUE SERVICE PRACTICES AND PROCEDURES

Mr. LONG of Missouri. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an intriguing editorial from the April 23, 1965, issue of the Government Standard, signed by John F. Griner, national president of the American Federation of Government Employees.

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

[From the Government Standard, Apr. 23, 1965]

HEARING DELAY UNFAIR TO IRS EMPLOYEES

The Internal Revenue Service's handling of cases involving serious charges against some of its employees should be a matter of grave concern to all Federal employees and to all citizens who believe in justice and fairplay. Internal Revenue has played fast and loose with the rights of these employees and has subjected them to unwarranted indignities.

All of this, presumably, has been done in the interest of preserving the integrity of the Agency and our tax collecting system. But integrity can no more be preserved by fear and pressure tactics than democracy can be protected by adopting the repressive measures of totalitarian states. The Internal Revenue Service has behaved as if it never heard of some of the most cherished principles on which this Nation is based, principles which go to the very heart of protection of, and respect for, individual rights and due process of law.

Internal Revenue's handling of the charges against some of its employees in New York has given new force and meaning to the old saying that "justice delayed is justice denied." A number of Internal Revenue employees in New York have been dismissed for allegedly accepting bribes or failing to report bribe offers.

Many of the dismissals were based on the testimony of a so-called tax practitioner, an individual who advises people on tax matters and helps them fill out their tax returns. This tax practitioner has admitted bribing Internal Revenue employees.

Ironically, the employees fingered by this confessed briber have been fired while he is still permitted to carry a Treasury Department card authorizing him to represent taxpayers. The employees were dismissed before they had exhausted all their administrative appeal rights within the Government.

This, unfortunately, is normal procedure in the Government service. In itself, this is bad enough, but Internal Revenue has seen fit to compound the inequity. Some of the accused employees have pleaded with Internal Revenue to hold an appeal hearing on their discharge. The agency has steadfastly refused to do this.

Internal Revenue has told the employees that the hearings they are presumably entitled to are being delayed, at the request of the Justice Department, until criminal charges growing out of the bribery accusations have been disposed of. And the Justice Department, for its part, appears to be in no hurry at all to proceed with the criminal cases.

We can find no legal justification for Internal Revenue's action in denying its employees the hearings they are entitled to under the Veterans' Preference Act and the appropriate civil service laws and regulations. The agency's only defense is the reply that such action is customary in "these cases." Meanwhile, the stigma that hovers over these employees has ruined their Government careers and, in some cases, very nearly wrecked their lives.

The alleged briberies have received wide newspaper publicity. The employees involved have found it difficult to get other jobs and have been hampered in their efforts to collect unemployment compensation. Yet the fact remains that these employees have appeals pending before the agency and have never been tried, much less convicted, on any criminal charges.

And all of this stems from accusations made by a confessed briber, a man whose credibility, to say the least, is questionable.

The IRS's handling—or mishandling—of this situation is in keeping with the agency's entire investigative procedure when it comes to its own employees. Some of the accused employees in New York have obtained other employment outside the Government only to find that Internal Revenue investigators have visited their new places of work, asked to see the employee, and then discussed the case and the nature of the charges against the employee with his new employer.

The powers of the IRS's investigative officers are truly awesome. They have the authority to make arrests and seize property without warrants if they have reasonable grounds to suspect that the person being arrested has committed a felony. Certainly such wide ranging powers should be used with discretion and judgment.

Unfortunately, this is not the case in Internal Revenue. Employees are summoned before investigators and interrogated without being told what, if any, are the charges or accusations against them. During these interrogations employees are not permitted to be represented, either by their union or by counsel. Yet these star chamber proceedings can and have led to an employee's dismissal and even to criminal charges being placed against him.

AFGE never has and never will condone wrongdoing by any Federal employee. But neither can we condone a situation which amounts to employees being adjudged guilty until proven innocent. And that has been the effect of the Internal Revenue's handling of the charges against its employees.

These employees want, are entitled to, and should have a timely hearing on the charges against them. If found guilty, they should be punished; if found innocent, they should be reinstated. There is no justification whatsoever for the Internal Revenue's action in refusing to grant these employees a chance to clear their names.

The denial of this basic right is an affront to all Federal employees and a disgrace to the Internal Revenue Service and the Federal Government. It should be countenanced no longer.

JOHN F. GRINER,
National President, AFGE.

Mr. LONG of Missouri. Mr. President, although the whole editorial raises interesting questions about IRS practices and procedures, I was particularly interested in the paragraph relating to the issuance of the so-called Treasury cards.

According to Mr. Griner, a number of IRS employees in New York have been dismissed on the word of a tax practitioner who is an admitted briber of IRS employees. Yet this tax practitioner is still permitted to carry his Treasury card and to represent taxpayers.

On May 12, 1965, the Subcommittee on Administrative Practice and Procedure is having a hearing on S. 1758, a bill which would abolish Treasury cards. Officials of the Department of the Treasury have asked to be heard on that day; and I expect to examine them closely on the identity of the accuser and why he is permitted to keep his card and to continue to represent taxpayers before the Treasury Department.

THE ADEQUACY OF PRODUCTION SCHEDULES FOR MILITARY AIRCRAFT AND HELICOPTERS

Mr. TOWER. Mr. President, it previously has come to the attention of members of the Armed Services Committee that there is some question as to whether our current production schedules for military aircraft and helicopters are adequate to meet the attrition rate which we now are experiencing in Vietnam.

The increasing loss of planes either shot down or damaged has raised the distinct possibility that supplemental funds may be necessary to speed production of such aircraft—both those now being built, and new models shortly to be in production.

The distinguished acting chairman of the Armed Services Committee has pointed this danger out to the Senate and has indicated that his Preparedness Subcommittee will be looking into the situation. I know that it will bring to the Senate an important judgment about this matter.

I noted that Mr. Hanson W. Baldwin, of the New York Times, discussed the attrition worry in detail in Saturday's editions of that paper, pointing out that transfers of planes from existing units already is underway. I ask unanimous consent that Mr. Baldwin's revealing article be printed at this point in the RECORD, and I sincerely hope that other Senators will give it careful study.

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

[From the New York Times, Apr. 24, 1965]

VIETNAM PROBLEM: A PLANE SHORTAGE—LIMITED SUPPLIES A WORRY AS LOSSES RISE—U.S. CRAFT ALSO HAVE DEFICIENCIES

(By Hanson W. Baldwin)

The limited numbers of aircraft available and the technical shortcomings or unsuitability of the U.S. planes used in Vietnam are causing increasing worry among military officers.

Several manufacturers—Douglas, Northrup, and others—have received indications that they may be called upon to initiate or to speed up production of some military types.

Aircraft losses are slowly increasing in Vietnam as air operations are intensified, it is pointed out. Limited numbers of replacements are available for the newest and most modern types. Production lines are small for a few types, nonexistent for others.

To replace the losses, 2 squadrons of B–57 light bombers, totaling 24 planes, have been transferred from Air National Guard units to the Air Force.

TRANSPORT SERVICE AIDED

The Air National Guard has also been called upon to supplement the Military Air Transport Service to a greater degree than normally. Forty-six additional oversea transport flights were flown by Air National Guard planes in March alone.

Helicopters and light aircraft have been transferred from U.S. forces in Europe and this country to Vietnam to provide replacements and to increase helicopter strength there.

A screening of skilled mechanics and other aircraft maintenance personnel has been underway for some time to provide for the increasing needs in Vietnam.

The military believe that some major decisions in budgeting, production, and other

areas will have to be taken soon if future shortages in Vietnam are to be avoided and if inadequacies are to be remedied.

They believe that Vietnam is a kind of proving ground for fiscal and military policies and technological concepts and that some of these are being shown to be in error or inadequate or unsuitable.

Present problems stem primarily from the following factors:

The unprogramed nature of the Vietnamese war. The extraordinary expenses and expenditures incurred by U.S. forces in Vietnam have not been budgeted. Supplies, money, and equipment have come from other commands, or as military puts it, out of "other people's hides."

The pronounced reduction in military aircraft inventories and in numbers of planes produced in the United States in the last 10 years. The aircraft inventory of the Air Force and Navy was reduced by more than 4,000 planes in a decade. In 1954. 8,089 military aircraft were produced in the country. The estimate for 1964 is about 1,500.

The failure to develop an aircraft specifically designed for close ground support and for interdiction missions of the type now being flown in Vietnam.

NUCLEAR-WAR CONCEPT CITED

The reduction in aircraft totals has been caused by two policies.

One was the concept that any war the United States fought would be a nuclear conflict and that far fewer planes would be needed to deliver nuclear weapons than conventional bombs. This concept was modified in the closing years of the Eisenhower administration, and funds for conventional warfare have been sharply increased during the tenure of Defense Secretary Robert S. McNamara.

But the greatly increased costs of modern aircraft—$4 million, for instance, for a single modern Navy A–6, a Grumman jet-powered, all-weather attack plane, as compared to about $285,000 for an old A–1, a Douglas propeller-driven Skyraider—have prohibited the replacement of older planes on anything like a one-for-one basis.

Moreover, some thought, the increased capabilities of the new planes in speed, altitude, automation and firepower would more than compensate for the reduction in numbers.

But Vietnam appears to be upholding the contention of those who disagree with this theory, pointing out that one plane can be in only one place at any one time, that its bombload in conventional weapons is limited and that for a conventional war greater numbers of rockets, bombs, and aircraft are required than the military budget has provided for.

BOMBING ACCURACY SCORED

The April 12 issue of Aviation Week notes that there are serious discussions in Washington "about the shortcomings of U.S. aircraft in the Vietnamese war and what means there are to correct them."

"Some Defense Department leaders contend current fighter-bombers are too fast and sophisticated for the job there and are taking fresh looks at proposals for subsonic aircraft equipped with old-fashioned guns and cannon," the magazine adds.

It describes Mr. McNamara as dissatisfied with the bombing accuracy in Vietnam and says he "is expected to show new interest in such aircraft."

The development of planes suitable for the Vietnames type of warfare has been handicapped by a variety of factors—technological differences as to the desirable characteristics of the aircraft, different tactical concepts, service differences about the proper methods for employing airpower in support roles, and Mr. McNamara's cost-effectiveness emphasis, which has tended to emphasize "all-purpose" planes instead of specialized ones.

Some critics contend that it makes no sense to risk multi-million-dollar jet fighters, with electronic systems and missiles, against hundred-thousand-dollar bridges.

Others point out that the kind of plane required for the interdiction of roads and communications must be rugged, capable of withstanding damage from ground fire.

They say it should be able to undertake both day and night missions. The pilot compartment, at least, should be armored, they add, and the plane should be capable of flying for long periods at relatively low altitudes above roads and communications points.

In addition, it is noted, the plane should be equipped for a large and variable armaments load. No jet-powered aircraft appears to meet these requirements fully.

In an article in the April U.S. Naval Institute Proceedings, Lieut. Comdr. A. D. McFall says that the propeller-driven Douglas A–1, now used in limited numbers in Vietnam by the South Vietnamese and U.S. forces, has met the requirements better, than any other plane.

DECLARATION OF VIETNAM AS A COMBAT ZONE

Mr. TOWER. Mr. President, I wish to commend the President for his action of Saturday in declaring Vietnam a combat zone. This action makes income tax benefits available to our men there and serves to point out an obvious fact which has previously been ignored.

Vietnam is indeed a combat zone. It has been for some time.

The President's action accomplishes the purposes sought in this Chamber last January by the introduction of a bill to declare Vietnam a combat zone. I was pleased to welcome as cosponsors on that bill (S. 459) Senators ALLOTT, BENNETT, CLARK, FANNIN, FONG, JORDAN of Idaho, MURPHY, RANDOLPH, and SIMPSON.

I am sure that these cosponsors would agree with me today that nothing could give them more satisfaction than now being able to note that the bill is no longer necessary. Its goal has been accomplished and rightfully so.

It is now my hope that having given public notice that we regard Vietnam as a combat zone, this Government will promptly proceed to extend to our men there the other benefits this Nation normally has provided to fighting men.

I, for one, shall do all that I can to make certain that a Vietnam GI bill is enacted granting education and loan benefits similar to those granted by the Korean GI bill.

I am pleased to note that a Vietnam GI bill was introduced in the Senate in January by myself and Senators ALLOTT, BARTLETT, CURTIS, FANNIN, FONG, MUNDT, MURPHY, RANDOLPH, and SIMPSON. I hope that it will be enacted as a part of the coming higher education bill.

Mr. President, members of all the armed services, both officer and enlisted, have told me and written to me that they regard their service in Vietnam to be under combat conditions equal to those of Korea and World War II.

As every Senator knows, some 33,000 U.S. personnel are committed to the Vietnam war. Nearly 500 of these have been killed. We are losing boys and equipment there almost every day in this fight against communism.

America's Armed Forces have suffered more battle casualties in the war against Communist guerrillas in Vietnam than they did in the war with Spain in 1898, according to official figures. The Spanish-American War, which began 67 years ago this month, is listed officially as one of the eight principal wars in which the United States has participated.

In the undeclared hostilities in Vietnam, not on the official list, the U.S. toll to date is 2,344 killed and wounded by enemy action and a further figure of 36 captured or missing. The comparable statistics for the war with Spain, fought in Cuba and the Philippines in April-August, 1898, are 2,047 killed and wounded in battle.

Americans fighting in southeast Asia today, and those who risked their lives in earlier years, are entitled to be regarded as combat veterans for income tax purposes and for education benefits.

The period 1954 to 1959 was a quiet period in Southeast Asia with the United States conducting a low-key military program of some 700 advisers. Communist terror and subversion were at a low level. Then, in 1960, the North Vietnamese Communists initiated a turning point with their decision to take over full direction of efforts to seize South Vietnam.

The American buildup in response to obvious Communist designs began in 1961 when we increased the number of advisers to some 2,000 in the face of Red infiltration. By 1962, we were up to 11,000 men; by 1963, to 15,500, by 1964, to 23,000; and today, to nearly 28,000.

DENIAL OF USE OF MIGRANT FARM LABOR IN TEXAS

Mr. TOWER. Mr. President, I note that once again, today, the Secretary of Labor has forgotten Texas.

Earlier this month he admitted that his past position on the admission of bracero farmworkers was grievously in error. On April 9 he reversed his ban—which was causing a danger of rotted crops and higher consumer prices—and allowed thousands of West Indian workers to enter the country, as they normally have in the past, to assist in the citrus harvest in Florida.

I was pleased that he took care of Florida's problem, but amazed that he had ignored the same problem in my State and in California.

Now today, I see that California has been admitted to the Labor Department's union and that 1,500 Mexican bracero workers have been admitted to work the asparagus and strawberry harvests in the San Joaquin and Salinas Valleys.

I commend California upon its good fortune, but I am astonished that the Secretary, having admitted the mistake of his nonadmittance policy, should once again only partially remedy his error.

Texas faces the same economic chaos on the farm as did Florida and California. Once again, I urgently call upon the Secretary of Labor to consider the plight of Texas and to apply his bracero remedy nationwide without discrimination.

ADJOURNMENT

Mr. HART. Mr. President, if there is no further business to come before the Senate at this time, I move, pursuant to the order previously entered, that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 6 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Tuesday, April 27, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 26, 1965:

IN THE NAVY

Having designated, under the provisions of title 10, United States Code, section 5231, Rear Adm. Charles K. Duncan, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of vice admiral while so serving.

COAST AND GEODETIC SURVEY

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Coast and Geodetic Survey:

To be lieutenants

Freddie L. Jeffries
Gerald R. Schimke
John D. Boon III

To be lieutenants (junior grade)

Paul W. Larsen
Leland L. Reinke
Henry L. Pittock III
Ronald W. Elonen
John B. Jones III
Thomas E. Ryder
Christian Andreasen
Carl N. Davis
Edward E. Jones
Frederick J. Kuehn, Jr.
Robert H. Leininger
John E. Dropp
Conrad E. Huss
William Y. S. Williams
Lindle E. Barnett
William J. Cooke
Neal A. Horst
Joseph W. Dropp
Walter F. Forster II
Delwyn C. Webster
Joseph T. Smith
Peter M. Schidrich
Robert C. Westphall
Billy G. Morrison
Danford A. Moore
William R. Klesse
Gerald M. Ward
Woodrow E. Bliss, Jr.
David L. Hough
Phillip C. Johnson
Rodger K. Woodruff
James M. Wintermyre
Karl W. Kieninger, Jr.
Karl S. Karinch

To be ensigns

Leonard T. Lynch, Jr.
Thomas F. Scygiel, Jr.
Stanley M. Hamilton
Leonard Larese-Casanova
Dennis E. Youngdahl
Kirk P. Patterson

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Erban E. Wakefield, Jr., Columbia, Ala., in place of W. H. Bryan, transferred.

ALASKA

Leolla M. Roelle, Platinum, Alaska, in place of B. M. Homstad, resigned.

Charles L. Hermens, Skagway, Alaska, in place of L. T. McGuane, transferred.

ARIZONA

Harold L. McDonald, Window Rock, Ariz., in place of E. E. Barnhill, retired.

ARKANSAS

William R. Jennings, Lakeview, Ark., in place of J. L. Penrod, retired.

CALIFORNIA

Hermon G. Whitham, Auburn, Calif., in place of J. G. Walsh, retired.

Judith S. Angell, Bonita, Calif., in place of J. B. Loomis, retired.

Isadore J. Trigueiro, Edwards, Calif., in place of R. J. Hazard, resigned.

Ora G. Knudson, Lakewood, Calif. Office established December 31, 1956.

Elsie L. Lindner, Lemoncove, Calif., in place of Elizabeth Lane, retired.

Albert J. Hoyt, Topanga, Calif., in place of H. E. Rolfe, resigned.

COLORADO

W. Calvin Berk, Idledale, Colo., in place of L. P. Silver, retired.

CONNECTICUT

Marie B. Reid, Amston, Conn., in place of W. A. Holbrook, removed.

FLORIDA

Walter A. Pfirman, Cape Canaveral, Fla., in place of E. J. Holmes, resigned.

Harvey F. Baker, Citra, Fla., in place of W. W. Hooker, Jr., retired.

Leroy Renfroe, Dover, Fla., in place of F. B. Schneider, resigned.

Everett W. Driggers, Laurel, Fla., in place of Eva Zeigler, retired.

GEORGIA

Dolores W. Pearman, Chula, Ga., in place of G. C. Pearman, retired.

Roberta I. Barton, Georgetown, Ga., in place of J. C. Griffin, retired.

Monterie C. Brewer, Lumber City, Ga., in place of J. R. Nease, retired.

Bernard Knowles, Jr., Stockbridge, Ga., in place of V. G. Callaway, retired.

IDAHO

Glen H. Sherman, Greenleaf, Idaho, in place of L. G. Dillon, deceased.

John R. Welz, Saint Maries, Idaho, in place of S. R. Walker, retired.

ILLINOIS

William T. Wasilewski, Athens, Ill., in place of R. L. Campbell, retired.

Kenneth M. Mosher, Dahinda, Ill., in place of A. R. Woolsey, retired.

Elizabeth F. Parsley, Malta, Ill., in place of C. E. Saur, retired.

Martha K. Webster, Palatine, Ill., in place of C. J. O'Hara, resigned.

INDIANA

Raymond P. Spurgeon, Brownstown, Ind., in place of Grace Cross, retired.

Rose M. Darling, Guilford, Ind., in place of C. M. Buchanan, deceased.

IOWA

Cady J. Reece, Bradford, Iowa, in place of A. L. Jones, retired.

Ralph L. Zearley, Edgewood, Iowa, in place of M. E. Smith, retired.

Sam K. Merrill, Kellerton, Iowa, in place of L. A. Spencer, transferred.

Eldon J. Stein, Manson, Iowa, in place of Aaron Sutter, deceased.

Stanley R. Johnson, Nodaway, Iowa, in place of R. A. Stalder, retired.

Sara L. Holt, Randall, Iowa, in place of C. C. Peterson, retired.

Sidney J. Ness, Underwood, Iowa, in place of E. L. Klopping, retired.

Richard D. Hulse, Van Meter, Iowa, in place of L. B. Miller, retired.

KANSAS

Earl A. Drake, Garfield, Kans., in place of T. W. Sloan, retired.

Roger K. Perry, Saint Marys, Kans., in place of Jeannette Byrnes, retired.

Raymond Patterson, Washington, Kans., in place of H. F. Geistfeld, retired.

KENTUCKY

James N. Logsdon, Lewisburg, Ky., in place of C. B. Marshall, retired.

LOUISIANA

Aline F. DePrima, Berwick, La., in place of W. Y. Kemper, Jr., deceased.

Ned L. Arceneaux, Lafayette, La., in place of E. A. O'Brien, retired.

MAINE

Clayton E. Adams, Solon, Maine, in place of Aubrey Kelley, deceased.

MASSACHUSETTS

Robert O. Montgomery, Brewster, Mass., in place of R. E. Allen, retired.

Mary E. Lee, Middleton, Mass., in place of M. V. Meagher, retired.

Francis P. Shea, Plymouth, Mass., in place of W. F. Goodwin, retired.

MICHIGAN

Jack H. Gillow, Milford, Mich., in place of C. H. Jeffers, resigned.

Roy M. Skinner, Rockwood, Mich., in place of G. J. Ruff, retired.

Elaine C. Anderson, Sagola, Mich., in place of H. D. Nichols, retired.

MINNESOTA

Walter O. Grotz, Delano, Minn., in place of A. O. McEachern, retired.

Ronald E. Sebenaler, Mentor, Minn., in place of D. C. Tice, retired.

Walter S. Seline, Mora, Minn., in place of M. E. Williams, retired.

Patricia M. Arnold, Young America, Minn., in place of E. C. Nuernberg, retired.

MISSISSIPPI

Julian K. Allison, Cascilla, Miss., in place of J. E. Brewer, transferred.

Cecil B. Jones, Sherard, Miss., in place of E. W. Jones, retired.

MISSOURI

Helen H. Bagbey, Bertrand, Mo., in place of L. L. Voelker, retired.

MONTANA

Alice R. Bellamy, Dutton, Mont., in place of C. W. Hektner, retired.

Elmer W. Page, Sidney, Mont., in place of K. G. Carpenter, retired.

NEBRASKA

Neal C. Thompson, Dalton, Nebr., in place of D. D. Ermand, retired.

Glenn D. Fraass, Lodgepole, Nebr., in place of E. A. Misegadis, transferred.

Evelyn M. Fees, Miller, Nebr., in place of W. B. Brown, transferred.

Anastasia M. Vrchlavsky, Saint Columbans, Nebr., in place of I. E. Hines, retired.

Edward V. Sis, Stratton, Nebr., in place of L. L. Rook, retired.

NEW HAMPSHIRE

Bruce M. Bottomley, Melvin Village, N.H., in place of M. H. Robie, retired.

NEW JERSEY

Louis J. Rossi, Avenel, N.J., in place of G. E. Fox, retired.

George J. Lahey, Highlands, N.J., in place of C. M. Johnson, Jr., retired.

Alice S. Mulvey, Landing, N.J., in place of M. L. Mulvey, retired.

Rocco N. Bonforte, Long Branch, N.J., in place of J. W. Guire, retired.

Joseph J. Benucci, Newark, N.J., in place of L. A. Reilly, retired.

Vincent J. Sindone, River Edge, N.J., in place of W. H. Beekman, deceased.

Edwin Zdanowicz, Rochelle Park, N.J., in place of F. J. Butterworth, retired.

James A. Marley, Westville, N.J., in place of Walter Darlington, Sr., retired.

NEW MEXICO

James N. Tinnin, Farmington, N. Mex., in place of V. A. Martin, retired.

Albert A. Ortega, Grants, N. Mex., in place of William Fitch, Jr., resigned.

Thomas T. Knight, Tesuque, N. Mex., in place of L. H. Duncan, retired.

NEW YORK

Robert V. Gorman, Apulia Station, N.Y., in place of W. E. Briggs, retired.

Edwin J. Faber, Caroga Lake, N.Y., in place of Burton Yates, retired.
Oreina L. Lavoie, Champlain, N.Y., in place of E. A. Coonan, deceased.
William J. Marsh, Cleveland, N.Y., in place of O. E. Westcott, deceased.
Donald R. McMahon, Dresden, N.Y., in place of E. H. Chambers, retired.
Robert K. Norton, Fayetteville, N.Y., in place of C. A. O'Brien, retired.
Richard C. Smolk, Findley Lake, N.Y., in place of J. L. Hull, deceased.
Joseph F. Clark, Hughsonville, N.Y., in place of C. A. Young, resigned.
Ellen M. Poley, North Branch, N.Y., in place of Amanda Stewart, retired.
Grant D. Morrison, Northville, N.Y., in place of P. H. Griffing, retired.
William H. Aubrey, Rouses Point, N.Y., in place of H. D. Ashline, retired.
Sarah J. Keene, South Colton, N.Y., in place of L. H. Selleck, deceased.
Edwin E. Wallace, Spring Valley, N.Y., in place of E. P. Humbert, deceased.
Francis J. Foote, Valois, N.Y., in place of J. E. Hawes, declined.
Lester R. Marshall, Waverly, N.Y., in place of A. J. Kane, retired.
Orville B. Clark, Westons Mills, N.Y., in place of N. E. Kamery, retired.
Frances I. Straley, West Park, N.Y., in place of G. M. Ackert, deceased.

NORTH CAROLINA

James D. Scroggs, East Flat Rock, N.C., in place of J. E. Creech, retired.
William W. Tarkington, Manteo, N.C., in place of D. V. Meekins, deceased.

NORTH DAKOTA

Carrol G. Jorgensen, Haynes, N. Dak., in place of L. R. Church, retired.
Eliot C. Runquist, Jamestown, N. Dak., in place of Marjorie Zappas, retired.

OHIO

Dorrill D. Bounds, Litchfield, Ohio, in place of C. E. Fratz, transferred.
Maynard B. Pelton, Medina, Ohio, in place of S. L. Hartman, retired.
Clinton E. Miller, Oak Hill, Ohio, in place of C. S. Corvin, retired.

OKLAHOMA

William W. Tripp, Blair, Okla., in place of F. H. Hawkins, retired.
Virginia M. Cantrell, Hooker, Okla., in place of H. D. Gill, transferred.
Aaron D. Howell, Manitou, Okla., in place of C. A. Reffner, transferred.
Jerome H. Hodgens, Jr., Moffett, Okla., in place of J. H. Hodgens, retired.
Harold G. Brown, Nicoma Park, Okla., in place of A. V. Werner, retired.

OREGON

Russell K. McCullough, Dufur, Oreg., in place of L. C. Bliem, retired.

PENNSYLVANIA

Jeanne Z. Sampsell, Laurelton, Pa., in place of H. P. Harter, retired.
Monroe J. Stavely, Littlestown, Pa., in place of C. L. Schwartz, retired.
James Y. Schelly, Orefield, Pa., in place of W. C. Stauffer, retired.
William R. Ewing, Saegertown, Pa., in place of M. E. Byers, retired.
C. Levi Scheidy, Shartlesville, Pa., in place of W. A. Stump, retired.
Justin J. Shook, Spring Mills, Pa., in place of P. E. Rossman, retired.
Salvadore J. Sposato, Weatherly, Pa., in place of E. T. Dodson, resigned.

TENNESSEE

J. Addison Bringle, Covington, Tenn., in place of J. S. McBride, retired.
Jake L. Gilreath, Kodak, Tenn., in place of F. C. Gilreath, transferred.
William C. Garner, Madisonville, Tenn., in place of M. S. Franklin, retired.

TEXAS

William E. Rogers, Center, Tex., in place of S. E. Burns, deceased.
James C. Wood, Coppell, Tex., in place of C. O. Parker, retired.
Betty J. Yauck, Darrouzett, Tex., in place of L. M. Winfough, retired.
Ben W. Laird, Kilgore, Tex., in place of Crown Dickson, retired.
Milton Farmer, Pearland, Tex., in place of R. O. Warner, retired.
Holley H. Arnold, Trinity, Tex., in place of Hattie Waller, retired.

VERMONT

Ralph N. Hilliard, West Burke, Vt., in place of M. M. Duval, retired.

VIRGINIA

Clayborne H. Phillips, Burgess, Va., in place of M. H. Covington, retired.
James A. Threewitts, Dendron, Va., in place of G. W. Spratley, retired.
Bine S. Cross, Occoquan, Va., in place of L. B. Woodyard, retired.

WASHINGTON

Donald E. Ringhouse, Clearlake, Wash., in place of Sadie Ensch, retired.
John G. Iafrati, Du Pont, Wash., in place of G. A. Henson, Jr., resigned.

WEST VIRGINIA

James E. Matthey, Bristol, W. Va., in place of L. S. Jones, retired.

WISCONSIN

George M. Loomis, Sr., Brooklyn, Wis., in place of R. W. Williams, transferred.
Louise M. Gross, Brule, Wis., in place of D. E. Clemons, retired.
Clark W. Clary, Hustler, Wis., in place of E. M. Barrett, retired.
H. Paul Howard, Spring Valley, Wis., in place of H. A. Kirk, retired.

WYOMING

Theodore E. Anderson, Greybull, Wyo., in place of O. O. Harvey, deceased.
Richard Hays, Riverton, Wyo., in place of L. A. Millard, retired.

EXTENSIONS OF REMARKS

The Armenian Massacres in Turkey in 1915

EXTENSION OF REMARKS
OF
HON. ROMAN C. PUCINSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, April 26, 1965

Mr. PUCINSKI. Mr. Speaker, the tragedy of Armenians in Turkey in 1915 marks the saddest event in the long and turbulent history of the Armenian people. That event, unprecedented in the annals of modern history, in one fell swoop did away in a most cruel manner with nearly all of the 2 million Armenians in Turkey, and it remains the blackest page in Armenian history.

For centuries Armenians had suffered under alien yokes in their historic homeland, and since the early 16th century endured the heavy yoke of Ottoman sultans. While making the best of a very bad situation, under almost unbearable conditions, they had hopes of improving their second-class citizen status through some reforms. In the latter part of the last century, and especially in the years after the turn of the 20th, they did their best to have such reforms instituted in areas where they constituted a large part of the population, especially in the old Armenian provinces in eastern Asia Minor. They naturally hoped that through such reform measures their life, liberty, and property would be guaranteed against the brigandage of wild Kurds and unscrupulous government officials. But the Turkish authorities did not welcome and would not institute such reforms; and the more the Armenians petitioned, insisted, and pressed for such reforms, the more the Turks opposed any such measures. In 1913, however, the Turks agreed, upon the insistence of certain European governments, to make certain improvements. But they felt that this was imposed upon them at the instigation of Armenian leaders, and therefore they felt they had to teach the Armenians a lesson. The First World War gave them the opportunity to do this.

Soon after the outbreak of that war, the Turkish authorities proceeded to carry out their hideous plan of exterminating the Armenian population of Turkey through deportation, starvation, and wholesale massacres. In less than a year they succeeded in their ghastly task while European friends of the Armenian people were involved in the war and therefore unable to help. It is the 50th anniversary of that tragedy that is being observed this year, with sadness and solemnity, in all Armenian communities throughout the world, commemorating the martyrdom of more than 1 million Armenians.

Armenian Memorial Day

EXTENSION OF REMARKS
OF
HON. FRANK ANNUNZIO
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, April 26, 1965

Mr. ANNUNZIO. Mr. Speaker, half a century ago, on April 24, 1915, the Government of the Turkish Empire as an ally of the Central Powers, commenced a systematic plan of massacre of the Armenian nation which took the terrible toll of more than 1,500,000 lives and left more than a million displaced, exiled and horribly scarred men, women and children as victims of the first modern genocide.

This was not the first genocide in the infamous history of the barbaric Turks,

who, true to their Mongol heritage, destroyed and burned everything in their path.

The people in the Turkish-occupied Armenia had existed in the numbness of a virtual state of slavery since 1375, when the last Armenian kingdom in Cilicia fell prey to the invading Memlouls.

The Armenocide of 1915 not only destroyed lives, but thousands of cities and towns and centuries-old monasteries. Churches were destroyed and burned. Countless old manuscripts, bibles, and valuables of art together with savings and property were destroyed. This destruction totaled more than $35 billion.

The Armenians were condemned to death because they had willed to live on their ancestral soil as a free Christian nation.

Since this horrible massacre, the same pattern has been followed by Communist, Fascist, and Nazi dictators.

Genocide must be branded for the crime that it is. Any one responsible for this brutality shall ultimately be brought to justice. Persecution of defenseless minority peoples must be stopped. The world must be alerted that the atrocities which have been committed against the Armenian people will not be repeated.

The Armenian martyrs of 1915 contributed strongly to the victory of America and its Allies in World War I and prompted President Woodrow Wilson to say "The Armenians are our little ally."

It should be noted that of all the nations who participated in the grand alliance of 1915–1918, the Armenians were perhaps the smallest of these, but the Armenians suffered more casualties than any of the other states of that alliance.

The American people have an obligation to these people which could be fulfilled by revising the Immigration and Nationality Act. We Americans must provide a haven for the fair share of these homeless people and other refugees and escapees who have fled or have been displaced by forces of tyranny.

Indiana Man Earns Praise in Tornado Relief Action

EXTENSION OF REMARKS
OF
HON. VANCE HARTKE
OF INDIANA
IN THE SENATE OF THE UNITED STATES
Monday, April 26, 1965

Mr. HARTKE. Mr. President, Charles A. Howell, of Hagerstown, Ind., is a township trustee, Wayne County Democratic chairman, and a personal friend. It was, therefore, with great interest that I read a release, from the U.S. Department of Agriculture, recounting the extraordinary service rendered by Charlie Howell to the stricken individuals and communities of Indiana. As director of school lunch and commodity distribution, Mr. Howell set out with a truckload of foods from the USDA warehouse in Indiana; and, by long hours and hard work, in the 3 days following the disaster, he had supplied some 25,000 pounds of USDA-contributed foods to an estimated 5,000 people in need of help.

The tornado disaster of Palm Sunday was a great blow to the State of Indiana. But courageous people are beginning to plan, to rebuild, to pick up the pieces. To Charlie Howell, I extend my congratulations on behalf of those whom he has helped. I ask unanimous consent that the Department of Agriculture account be printed in the CONGRESSIONAL RECORD.

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

SECRETARY FREEMEN PRAISES INDIANA WORKER FOR TORNADO AREA FOOD DISTRIBUTION

Secretary of Agriculture Orville L. Freeman today commended the Indiana school lunch and commodity distribution State director for personally bringing practical food help to several thousand victims of the Palm Sunday tornadoes.

The Secretary said the actions of Charles A. Howell, who in the 3 days following the disaster brought several large truckloads of U.S. Department of Agriculture donated foods to communities and farmhouses in the swath of the killer wind that devastated parts of northern Indiana, "typifies the selfless dedication demonstrated by hundreds of local, State, and Federal workers during this widespread disaster."

In a letter of commendation to Mr. Howell, Secretary Freeman said, "Your actions during this emergency are a vivid example of what the Federal-State partnership in this distribution of our Nation's agricultural abundance means. I know that the several thousand people whom you and your small crew so capably served during your 3 days of dawn-to-midnight expeditions join me in this sincere commendation and expression of heartfelt thanks."

Mr. Howell, who resides on a farm near Hagerstown, Ind., has been director of school lunch and food distribution activities in the Hoosier State for 6 years. Married and the father of three children, he is also a grandfather. For the past 12 years, he has been a township trustee in Wayne County. Mr. Howell is an ex-serviceman, having served in Europe.

Following is an account of Charles A. Howell's 3-day accomplishments in getting USDA-donated foods to victims of Indiana tornadoes, pieced together from reports of Consumer and Marketing Service food distribution fieldworkers and telephone contact with Mr. Howell:

With communications lacking and without knowledge of what he might encounter, brawny Charlie Howell, an employee of the State with the formal title of school lunch and commodity distribution director, early Monday started off with a truckload of assorted USDA foods picked up from storage in Indianapolis. Following the tragic path of the tornado, he drove to Lebanon, one of the first towns hit. Here he left donated foods at the National Guard Armory, where Guard cooks had set up mass feeding operations for about 200 persons.

On the road again, Charlie Howell stopped in small communities and even single farmhouses, to leave food wherever he found need. One stop was in the small rural community of Elizaville, where he left food at the town hall with Red Cross volunteers who were struggling to provide help for shocked and dazed tornado victims.

Then on to Russiaville, where more than one-third of the 1,300 population was homeless. The Salvation Army needed so much food that Charlie Howell dropped the remainder of his load and returned immediately to the Indianapolis warehouse to reload his truck. His second foray through tornado-hit communities ended at midnight Monday near Kokomo.

Early Tuesday morning, Charlie Howell was off again with another truckload of USDA food, loaded on at a warehouse in Kokomo. Tuesday and Wednesday followed the same pattern as the previous day, through tornado-hit communities of Greentown, Marion, Lynn Grove, Wyatt and Elkhart, among others. By midweek, Mr. Howell and his crew had brought foods to all stricken communities.

In all, Charlie Howell and his truck brought something like 25,000 pounds of USDA-donated commodities to some 5,000 people who needed this help.

Other foods in school lunchrooms and in distribution centers in those townships participating in the needy family donation program were made available to disaster agencies to help relieve human suffering.

Some 300 people are receiving USDA foods at Lynn Grove in the Fort Wayne area, where the National Guard has set up mass feeding facilities, and at least another 300 are being fed at Wyatt where the Salvation Army is using both a stationary and a traveling kitchen.

About 1,000 at Dunlap, 800 at Mulberry, over 400 at Marion, 350 at Greentown, 300 at the Jefferson school near Goshen also are receiving USDA foods. From Crawfordsville to Berne, and from Koontz Lake to Elkhart, USDA foods are helping to feed the thousands of victims left homeless and destitute by the twisters that whipped through the peaceful Hoosier countryside on Palm Sunday, 1965.

Additional U.S. Aid to Nasser's Egypt?

EXTENSION OF REMARKS
OF
HON. JAMES ROOSEVELT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, April 26, 1965

Mr. ROOSEVELT. Mr. Speaker, a few days ago, on April 21, there appeared in the Los Angeles Times an editorial entitled "Additional U.S. Aid to Nasser's Egypt?" the full text of which follows:

ADDITIONAL U.S. AID TO NASSER'S EGYPT?

Can Gamal Abdel Nasser be serious in his reported request for $500 million in U.S. aid to Egypt over the next 3 years? Ah, indeed he can. Like the patricide who seeks mercy from the court because he is now an orphan, Nasser has always shown an incredible impudence in his dealings with the United States.

Being slow to anger and quick to forgive may well be a commendable virtue, but it is one that has definite limits in international relations. The House recognized this in January when it voted to halt further surplus food shipments to Egypt. Under executive prodding this stand was abandoned.

But the House vote reflected a widespread feeling that in Egypt's case the United States has run out of cheeks to turn, just as it has run out of libraries for Egyptians to burn down.

Most of the $1.2 billion in U.S. aid to Egypt since 1952 has consisted of surplus food, mostly grain. The United States doesn't want to take this food out of the mouths of hungry fellahin. But an end to U.S. wheat sales, which Nasser has said he expects and has planned for, wouldn't have to do this.

The serious shortages of food and other consumer necessities in Egypt haven't occurred simply because Egypt is a poor country with a too rapidly growing population. The shortages exist because the Egyptian

Government has squandered countless millions on needless, unproductive, and largely malicious enterprises of no value at all to the Egyptian people.

Nasser has had no trouble finding the money to sustain a 50,000-man army in Yemen, or to supply Congo rebels, or to subvert other governments, or to pay off on $1 billion worth of Soviet arms. With limited resources, he has chosen which courses to follow.

The State Department argues about the need to maintain a U.S. influence in Egypt. What influence? Nasser daily grows chummier with the Communists and meddles more openly in the business of other nations. He has worked, independently or as a Soviet agent, against free world interests at a score of points.

It is impossible to see why the United States, through aid of any kind, should contribute to the furtherance of these policies. The answer to any Egyptian aid request is written in Nasser's own record.

The opinion expressed is precisely that which I hold on this subject, and it is shared by my constituents, as indicated in their many letters to me over the past months.

In view of Nasser's past performances, and particularly his grossly insulting actions and speeches during this last year, I simply cannot see how the U.S. Government can possibly give favorable consideration to any further request for U.S. aid to the United Arab Republic without a strong, positive indication of a sincere and definite about-face in position and policy.

So far as I can determine, the continued discretion granted to the President early in this congressional session has had absolutely no effect in what appears to be our continually deteriorating relations with the United Arab Republic. A firmer approach to the problem through the executive branch might serve some useful purpose. There can be no question, however, that it appears more advisable to exert pressure for a policy change through provision for prohibition of further assistance in the foreign aid authorization bill now under consideration by the Foreign Affairs Committee.

I earnestly caution my colleagues to watch this development closely, and unless some more effective presentation evinces a promise of improved relations, I urge them—on both sides of the aisle—to stand resolute to the position originally adopted by the House in its vote on January 26 of this year, and to do what we can to convince the other body that such position has proved to be correct.

Absentee Voting by Servicemen—A Bill To Amend the Federal Voting Assistance Act of 1955

EXTENSION OF REMARKS
OF
HON. EDNA F. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, April 26, 1965

Mrs. KELLY. Mr. Speaker, the question of servicemen's voting was raised during the press conference held by Secretary McNamara. Since 1950, Mr. Speaker, I have carried out everything within my capacity to encourage servicemen voting and to facilitate their voting. The services know this, or should know it. The proper committees involved have been questioned and have been requested to pass my resolution. Action was taken on one occasion but this action was limited.

Finally, after much prodding on my part, the Department of Defense issued a directive on absentee voting. They can do it now if they desire—and the following resolution is explanatory of the proper method.

Mr. Speaker, I have sent a copy of my resolution together with the following letter to the Secretary of Defense and I hope that he will see that a good directive is issued and put into operation.

The letter and resolution follow:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 26, 1965.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: I was very happy that I took the time to listen to your press conference on April 26 and I commend you for your informative and concise answers.

One of the questions raised at your press conference was one involving servicemen's voting to which you replied you would look into this issue. In an endeavor to be helpful, I wish to call to your attention that for many years I have been deeply concerned regarding servicemen's right to vote. One of the resolutions I introduced in the 86th Congress recommended "in hand" delivery of military ballot applications to all members of the Armed Forces.

For many years I have introduced the enclosed bill to provide for "in hand" delivery of military ballot applications to all servicemen. This application would be an ordinary postal card which when signed by the serviceman would be returned to his home State and a commission would see that he received his proper absentee ballot in order to vote. By "in hand" delivery I mean that the same method of giving the serviceman his personal mail would be followed in giving him a post-card application. In 1955 a Federal Voting Assistance Act was enacted into law but it only pertained to national elections. Under this act a serviceman could request an application from his commanding officer. You can imagine how few boys in far-off lands would make this request.

New York State has a division for servicemen's voting which is bipartisan. The Democratic director of this division, the Honorable Neil M. Lieblich, who is a personal friend as well as a neighbor of mine, has over the years helped me submit this problem. Unfortunately, Mr. Lieblich is very ill at the present time. Commissioner Lieblich came to Washington on many occasions and spoke with Mr. Platt, deputy coordinator of the Federal voting assistance program of the Office of the Assistant Secretary of Defense (Manpower), and I am sure that their file is as voluminous as mine on this subject.

The latest action on this was that Mr. Platt informed me that the Department of Defense issued a directive providing that in all general elections occurring on even-numbered years, a Federal post card application for an absentee ballot would be issued by delivery in hand to all Armed Forces personnel of voting age. However, there is a problem involved in that there being no general elections in odd-numbered years in many States, no provision is provided for delivery of applications to residents of those States of the Union which do conduct general elections in odd-numbered years.

I am so bold to suggest that one of your people look into the absentee ballot program for the State of New York and study this procedure with a view toward issuing a directive in line with this method as I feel it is a foolproof one.

Military ballots are important as it as been found that with the increase in servicemen voting many close elections have been decided by this vote.

I plan to speak on the House floor regarding this matter and your comments on this subject would be appreciated.

Sincerely yours,

———. ———.

H.R. 1045

A bill to amend the Federal Voting Assistance Act of 1955

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203 of the Act entitled "An Act making recommendations to the States for the enactment of legislation to permit and assist Federal personnel, including members of the Armed Forces, and their families, to exercise their voting franchise, and for other purposes", enacted August 9, 1955 (69 Stat. 589), is amended by striking out "made available" in the second, third, and fourth sentences of clause (2) and inserting in lieu thereof, in each of such sentences, "delivered in hand".

President Johnson's "100 Days"—A Remarkable Record of Achievement

EXTENSION OF REMARKS
OF
HON. FRANK THOMPSON, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, April 26, 1965

Mr. THOMPSON of New Jersey. Mr. Speaker, a most informative article in the current issue of U.S. News & World Report describes the remarkable record of achievement by President Johnson and the Democratic 89th Congress during the first 100 days of this session. According to the article "nothing to touch it has been seen since F.D.R.'s first 100 days." Those who carefully examine the record certainly agree.

The U.S. News observations are much like the comments that I made last week in my own newsletter. Mr. Speaker, under leave to extend my remarks, I include the text of the U.S. News article and my April 22 newsletter at this point:

L.B.J.'s "100 DAYS"—A RECORD PILING UP

It's one success after another for Lyndon Johnson. That has been the record of the 1965 session of Congress to date. Bills that have been bogged down for years are sailing through now. Nothing to touch it has been seen since F.D.R.'s first 100 days.

Not since the first 100 days of Franklin Roosevelt back in 1933 has a President enjoyed the success with Congress that Lyndon Johnson now is enjoying.

In that period 32 years ago, the Nation was emerging from a financial panic with people united in a demand for action. The rapid-fire enactment today of new laws of major importance is coming at a time of high prosperity and of national contentment.

The Johnson record, as a result is being cited by some of the President's aids as even more impressive than the Roosevelt record.

In quick succession, Congress has taken these actions:

Gold backing for deposits with Federal Reserve banks was ended without so much as an argument. The vote: 300 to 82 in the House; 74 to 7 in the Senate.

A billion-dollar development program for the 11-State area in the East known as Appalachia sailed through in the form the White House asked. The vote: 257 to 165 in the House, and 62 to 22 in the Senate.

An aid program for local schools starting at $1.3 billion a year passed both Houses of Congress without a single major change from White House plans. In this case fundamental issues of policy and constitutional principle were involved. The vote: 263 to 153 in the House, 73 to 18 in the Senate.

For years, Presidents have tried to get from Congress approval of a plan for meeting costs of hospital care for elderly people under social security. Always they met defeat. Lyndon Johnson is about to achieve success where others failed. The House has voted medicare, 313 to 115. The Senate, having approved plans in the past, will join in, and could even broaden the plan.

It's the same story with a law to provide Federal supervision of local elections to assure Negroes the right to register and vote in areas where they now meet discrimination. Action by the Congress has been blocked in the past. It is about to be taken now.

Congress also is about to approve and submit to the States an amendment to the Constitution providing for an appointment to the Vice-Presidency if that office becomes vacant. It also provides for a line of action if a President is assassinated, dies or is disabled while in office.

The House approved this plan April 13 by 368 to 29. A similar measure went through the Senate unanimously.

Excise taxes are to be reduced by more than $1.7 billion later in 1965. In this case, Mr. Johnson may have difficulty restraining the urge in Congress to make larger reductions than he wants.

The success story carries all along the line.

The "poverty war" will be given $1.5 billion more to spend. A battle is mounting over the way this money is being used, but critics are saying that, politically, money is money in congressional districts.

There will be the usual approval of foreign aid and approval for a wide range of other White House proposals.

What the President wants: The record suggests this: Nearly anything President Johnson really wants from the 89th Congress he can get. In the Senate today are 68 Democrats and 32 Republicans. In the House there are 294 Democrats and 140 Republicans, with 1 vacancy.

In 1964, during the year when he served out the term of the late President John F. Kennedy, Lyndon Johnson started to make the record that is being developed fully in 1965.

That year, the new President pried loose a tax-cut bill that had been tied up in the Senate Finance Committee while Mr. Kennedy was in office.

President Johnson, too, got through Congress a new law governing civil rights of Negroes—a measure that had been bogged down earlier in Congress and had blocked action on most of the other legislative plans of the late President.

Now the President's program seems to have clear sailing.

There is some doubt that Congress will grant the President's request for a new Cabinet Department of Housing and Urban Development, but a large part of his urban program is likely to be enacted. Also headed for passage is President Johnson's plan to improve water resources and to help cities control air and water pollution.

The President, in fact, has outlined as broad a program for expansion and improvement as Mr. Roosevelt proposed for recovery from depression. And the record of Mr. Johnson's 100 days during the present session of Congress suggests that, with huge Democratic majorities in House and Senate, the President will push most of his projects through.

In the 32 years which have passed since the first 100 days of the Franklin D. Roosevelt administration, there have been innumerable discussions about the achievements of the Congress in those short 100 days. The actions taken way back then were considered to be fantastic, as indeed they were. Few people, even the most knowledgeable ones, expected a later Congress and administration to match the output of the great 73d Congress. To the delight and surprise of nearly all, the 89th Congress has given the 73d a run for its money.

The United States was in the depths of a horrible economic depression when F.D.R. took office. The people wanted relief and action and they got it in the form of the NRA, the Bank Holding Act, the Bank Moratorium, and the Emergency Relief Act, to mention the major bills passed. The administration was great, and so was the Congress.

In 1965, when Lyndon B. Johnson took office, he had with him a tremendous popular mandate and an overwhelmingly Democratic Congress, but there were no really great legislative demands from a people enjoying relative prosperity. The President had his own program, however, and he wasted not a minute in making his recommendations to what has turned out to be an eager and responsive Congress. The results have been nothing short of sensational in President Johnson's first 100 days.

The first measure of importance to travel the whole distance and become law was L.B.J.'s program for poverty stricken Appalachia. The Senate acted first, and then the bill was placed in the hands of the extraordinarily skillful Representative ROBERT E. JONES, Alabama's only liberal Member. JONES steered the bill through without a single amendment—a splendid and unusual achievement.

The Appalachia legislation will help not only the States directly involved but will benefit the whole Nation as the economy of that poor area improves. New markets will open, and thousands of men will be put back to work to take their places as taxpayers and customers. Their children will receive better educations and, hopefully, be prepared to enter the job market equipped to be employed.

The President's next legislative victory ended a fight of nearly 100 years within the 100 days when the great education bill sailed through the Congress. In this instance, the bill originated in the General Education Subcommittee of the House. From the time it left our subcommittee, all the way to the President's desk for signature, not one comma in it was changed. In this case, the bill was handed to the colorful and able Senator WAYNE MORSE, of Oregon. He duplicated Representative JONES' feat of passing the bill unamended. Several of my earlier newsletters have discussed the education bill in depth, so I shall say only that the entire Nation will benefit permanently from the education program.

Following the education bill, the House passed a massive revision of the social security law including President Johnson's medicare program. Only a year ago, the Senate passed a medicare program, but it failed to get out of Committee in the House. Many feel that the last Congress would have defeated medicare if it had reached the House for a vote. We will never know, but it's safe to say that the margin would never have been within a hundred votes of what it was in the 89th Congress. As time goes by, I shall make available to my constituents the many details of the medicare and social security programs. They are marvelous, in my opinion.

As we break for a few days' rest, we are confident that a voting rights bill will be ready for action upon our return. A great national demand has built up favoring this legislation, and I suppose that we can thank Alabama's Governor George Wallace and his red-neck pals for that demand. There have been many martyrs in the cause of equal rights who shall be remembered long after the Wallaces have been forgotten. Their monument will be the real emancipation of the southern Negro. The red-neck monument will be the shame they brought to their neighbors and to the Nation.

Before it leaves office, a long time from now, the Johnson administration will have done much more than its sensational 100 days have already brought forth. The administration recognizes the needs of the people and of the country and intends to meet those needs. There will be mistakes, too, for this is the nature of things. I predict, though, a favorable balance sheet in the history books and am honored to have a small part in the making of that history.

SENATE

TUESDAY, APRIL 27, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God: From the vain deceits of the uncertain world in which our lot is cast, we turn from the baffling problems which daily beseige us to this white altar, reared at the gates of the morning, which speaks to us ever of our final reliance on the supreme spiritual forces on which our salvation in the end depends.

Entering reverently this sacred, fenced-in area of sacramental quietness, we would bow in the Presence in which we always are, in the calm confidence that Thou dost hold the whole world in Thy hands and all worlds in the firm clasp of a love that never fails.

Keeping ourselves in the grasp of that love, that will not let us go, may we march with conquering tread in the gathering armies of friendship, whose armor is the shield of Thy truth, and whose sword is the might of Thy love, against which all the spears of hate cannot ultimately prevail.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, April 26, 1965, was dispensed with.