EXTENSIONS OF REMARKS

TESTIMONY OF JOHN KERRY FROM 1971

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2004

Mr. SAM JOHNSON of Texas. Mr. Speaker, I would like to insert the following testimony into the RECORD.

On this date in 1971, JOHN KERRY stated that America violated the Geneva Conventions in Vietnam. Mr. Speaker, when Mr. KERRY made these remarks, I just emerged from nearly four years of solitary confinement in Vietnam. Trust me when I say the Vietnamese regularly violated the Geneva Conventions, not the other way around.

JOHN KERRY also alleges American soldiers tortured innocent Vietnamese. These statements were later proved incorrect (during the question and answer session).

Last, JOHN KERRY said communism was not a threat in 1971. This could not have been further from the truth.

These are just a few reasons I believe America needs to see this testimony. It says a lot about JOHN KERRY.

LEGISLATIVE PROPOSALS RELATING TO THE WAR IN SOUTHEAST ASIA

The committee met, pursuant to notice, at 11:05 a.m., in Room 4221, New Senate Office Building, Senator J. W. Fulbright (Chairman) presiding.

Present: Senators Fulbright, Symington, Pell, Aiken, Case, and Javits.

The CHAIRMAN. The committee will come to order.

OPENING STATEMENT

The committee is continuing this morning its hearings on proposals relating to the ending of the war in Southeast Asia. This morning the committee will hear testimony from Mr. John Kerry, and, if he has any associates, we will be glad to hear from them. These are men who have fought in this unfortunate war in Vietnam. I believe they deserve to be heard and listened to by the Congress and by the officials in the executive branch and by the public generally. You have a perspective that those in the Government who make our Nation's policy do not always have and I am sure that your testimony today will be helpful to the committee in its consideration of the proposals before us.

I would like to add simply on my own account that I regret very much the action of the Supreme Court in denying the veterans the right to use the Mall. [Applause.]

I regret that. It seems to me to be but another instance of an insensitivity of our Government to the tragic effects of this war upon our people.

I want also to congratulate Mr. Kerry, you, and your associates upon the restraint that you have shown, certainly in the hearing the other day when there were a great many of your people here. I think you conducted yourselves in a most commendable manner throughout this week. Whenever people gather there is always a tendency for some of the more emotional ones to do things which are even against their own interests. I think you deserve much of the credit because I understand you are one of the leaders of this group.

I have joined with some of my colleagues, specifically Senator Hart, in an effort to try to change the attitude of our Government toward your efforts in bringing to this committee and to the country your views about the war.

I personally don't know of any group which would have both a greater justification for doing it and also a more accurate view of the effect of the war. As you know, there has grown up in this town a feeling that it is extremely difficult to get accurate information about the war and I don't know a better source than you and your associates. So we are very pleased to have you and your associates, Mr. Kerry.

At the beginning if you would give to the reporter your full name and a brief biography so that the record will show who you are.

Senator JAVITS. Mr. Chairman, I was down there to the veterans' camp yesterday and saw the New York group and I would like to say I am very proud of the deportment and general attitude of the group.

I hope it continues. I have joined in the Hart resolution, too. As a lawyer I hope you will find it possible to comply with the order even though, like the chairman, I am unhappy about it. I think it is our job to see that you are suitably set up as an alternative so that you can do what you came here to do. I welcome the fact that you came and what you are doing.

[Applause.]

The CHAIRMAN. You may proceed, Mr. Kerry.

STATEMENT OF JOHN KERRY, VIETNAM VETERANS AGAINST THE WAR

Mr. KERRY. Thank you very much, Senator Fulbright, Senator Javits, Senator Symington, Senator Pell. I would like to say for the record, and also for the men behind me who are also wearing the uniforms and their medals, that my sitting here is really symbolic. I am not here as John Kerry. I am here as one member of the group of 1,000, which is a small representation of a very much larger group of veterans in this country, and were it possible for all of them to sit at this table they would be here and have the same kind of testimony.

I would simply like to speak in very general terms. I apologize if my statement is general because I received notification yesterday you would hear me and I am afraid because of the injunction I was up most of the night and haven't had a great deal of chance to prepare.

WINTER SOLDIER INVESTIGATION

I would like to talk, representing all those veterans, and say that several months ago in Detroit, we had an investigation at which over 150 honorably discharged and many very highly decorated veterans testified to war crimes committed in Southeast Asia, not isolated incidents but crimes committed on a day-to-day basis with the full awareness of officers at all levels of command.

It is impossible to describe to you exactly what did happen in Detroit, the emotions in the room, the feelings of the men who were reliving their experiences in Vietnam, but they did. They relived the absolute horror of what this country, in a sense, made them do.

They told the stories at times they had personally raped, cut off ears, cut off heads, taped wires from portable telephones to human genitals and turned up the power, cut off limbs, blown up bodies, randomly shot at civilians, razed villages in fashion reminiscent of Genghis Khan, shot cattle and dogs for fun, poisoned food stocks, and generally ravaged the countryside of South Vietnam in addition to the normal ravage of war, and the normal and very particular ravaging which is done by the applied bombing power of this country.

We call this investigation the ''Winter Soldier Investigation.'' The term ''Winter Soldier'' is a play on words of Thomas Paine in 1776 when he spoke of the Sunshine Patriot and summertime soldiers who deserted at Valley Forge because the going was rough.

We who have come here to Washington have come here because we feel we have to be winter soldiers now. We could come back to this country; we could be quiet; we could hold our silence; we could not tell what went on in Vietnam, but we feel because of what threatens this country, the fact that the crimes threaten it, not reds, and not redcoats but the crimes which we are committing that threaten it, that we have to speak out.

FEELINGS OF MEN COMING BACK FROM VIETNAM

I would like to talk to you a little bit about what the result is of the feelings these men carry with them after coming back from Vietnam. The country doesn't know it yet, but it has created a monster, a monster in the form of millions of men who have been taught to deal and to trade in violence, and who are given the chance to die for the biggest nothing in history; men who have returned with a sense of anger and a sense of betrayal which no one has yet grasped.

As a veteran and one who feels this anger, I would like to talk about it. We are angry because we feel we have been used in the worst fashion by the administration of this country.

In 1970 at West Point, Vice President Agnew said ''some glamorize the criminal misfits of society while our best men die in Asian rice paddies to preserve the freedom which most of those misfits abuse,'' and this was used as a rallying point for our effort in Vietnam.

But for us, as boys in Asia whom the country was supposed to support, his statement is a terrible distortion from which we can only draw a very deep sense of revulsion. Hence the anger of some of the men who are here in Washington today. It is a distortion because we in no way consider ourselves the best men of this country; because those he calls misfits were standing up for us in a way that nobody else in this country dared to, because so many who have died would have returned to this country to join the misfits in their efforts to ask for an immediate withdrawal from South Vietnam, because so many of those best men have returned as quadriplegics and amputees, and they lie forgotten in Veterans' Administration hospitals in this country which fly the flag which so many have chosen as their own personal symbol. And we cannot consider ourselves America's best men when we are ashamed of and hated what we were called on to do in Southeast Asia.

In our opinion, and from our experience, there is nothing in South Vietnam, nothing

which could happen that realistically threatens the United States of America. And to attempt to justify the loss of one American life in Vietnam, Cambodia, or Laos by linking such loss to the preservation of freedom, which those misfits supposedly abuse, is to us the height of criminal hypocrisy, and it is that kind of hypocrisy which we feel has torn this country apart.

We are probably much more angry than that and I don't want to go into the foreign policy aspects because I am outclassed here. I know that all of you talk about every possible alternative of getting out of Vietnam. We understand that. We know you have considered the seriousness of the aspects to the utmost level and I am not going to try to dwell on that, but I want to relate to you the feeling that many of the men who have returned to this country express because we are probably angriest about all that we were told about Vietnam and about the mystical war against communism.

WHAT WAS FOUND AND LEARNED IN VIETNAM

We found that not only was it a civil war, an effort by a people who had for years been seeking their liberation from any colonial influence whatsoever, but also five found that the Vietnamese whom we had enthusiastically molded after our own image were hard put to take up the fight against the threat we were supposedly saving them from.

We found most people didn't even know the difference between communism and democracy. They only wanted to work in rice paddies without helicopters strafing them and bombs with napalm burning their villages and tearing their country apart. They wanted everything to do with the war, particularly with this foreign presence of the United States of America, to leave them alone in peace, and they practiced the art of survival by siding with whichever military force was present at a particular time, be it Vietcong, North Vietnamese, or American.

We found also that all too often American men were dying in those rice paddies for want of support from their allies. We saw first hand how money from American taxes was used for a corrupt dictatorial regime. We saw that many people in this country had a one-sided idea of who was kept free by our flag, as blacks provided the highest percentage of casualties. We saw Vietnam ravaged equally by American bombs as well as by search and destroy missions, as well as by Vietcong terrorism, and yet we listened while this country tried to blame all of the havoc on the Vietcong.

We rationalized destroying villages in order to save them. We saw America lose her sense of morality as she accepted very coolly a My Lai and refused to give up the image of American soldiers who hand out chocolate bars and chewing gum.

We learned the meaning of free fire zones, shooting anything that moves, and we watched while America placed a cheapness on the lives of orientals.

We watched the U.S. falsification of body counts, in fact the glorification of body counts. We listened while month after month we were told the back of the enemy was about to break. We fought using weapons against ''oriental human beings,'' with quotation marks around that. We fought using weapons against those people which I do not believe this country would dream of using were we fighting in the European theater or let us say a non-third-world people theater, and so we watched while men charged up hills because a general said that hill has to be taken, and after losing one platoon or two platoons they marched away to leave the high for the reoccupation by the North Vietnamese because we watched pride allow the most unimportant of battles to be blown into extravaganzas, because we couldn't lose and we couldn't retreat, and because it didn't matter how many American bodies were lost to prove that point. And so there were Hamburger Hills and Khe Sanhs and Hill 881's and Fire Base 6's and so, many others.

VIETNAMIZATION

Now we are told that the men who fought there must watch quietly while American lives are lost so that we can exercise the incredible arrogance of Vietnamizing the Vietnamese.

Each day——

[Applause.]

The CHAIRMAN. I hope you won't interrupt. He is making a very significant statement. Let him proceed.

Mr. KERRY. Each day to facilitate the process by which the United States washes her hands of Vietnam someone has to give up his life so that the United States doesn't have to admit something that the entire world already knows, so that we can't say that we have made a mistake. Someone has to die so that President Nixon won't be, and these are his words, ''the first President to lose a war.''

We are asking Americans to think about that because how do you ask a man to be the last man to die in Vietnam? How do you ask a man to be the last man to die for a mistake? But we are trying to do that, and we are doing it with thousands of rationalizations, and if you read carefully the President's last speech to the people of this country, you can see that he says, and says clearly:

But the issue, gentlemen, the issue is communism, and the question is whether or not we will leave that country to the Communists or whether or not we will try to give it hope to be a free people.

But the point is they are not a free people now under us. They are not a free people, and we cannot fight communism all over the world, and I think we should have learned that lesson by now.

RETURNING VETERANS ARE NOT REALLY WANTED

But the problem of veterans goes beyond this personal problem, because you think about a poster in this country with a picture of Uncle Sam and the picture says ''I want you.'' And a young man comes out of high school and says, ''That is fine: I am going to serve my country.'' And he goes to Vietnam and he shoots and he kills and he does his job or maybe he doesn't kill, maybe he just goes and he comes back, and when he gets back to this country he finds that he isn't really wanted, because the largest unemployment figure in the country—it varies depending on who you get it from, the VA Administration 15 percent, various other sources 22 percent. But the largest corps of unemployed in this country are veterans of this war, and of those veterans 33 percent of the unemployed are black. That means 1 out of every 10 of the Nation's unemployed is a veteran of Vietnam.

The hospitals across the country won't, or can't meet their demands. It is not a question of not trying. They don't have the appropriations. A man recently died after he had a tracheotomy in California, not because of the operation but because there weren't enough personnel to clean the mucous out of his tube and he suffocated to death.

Another young man just died in a New York VA hospital the other day. A friend of mine was lying in a bed two beds away and tried to help him, but he couldn't. He rang a bell and there was nobody there to service that man and so he died of convulsions.

I understand 57 percent of all those entering the VA hospitals talk about suicide. Some 27 percent have tried, and they try because they come back to this country and they have to face what they did in Vietnam, and then they come back and find the indifference of a country that doesn't really care, that doesn't really care.

LACK OF MORAL INDIGNATION IN UNITED STATES

Suddenly we are faced with a very sickening situation in this country, because there is no moral indignation and, if there is, it comes from people who are almost exhausted by their past indignations, and I know that many of them are sitting in front of me. The country seems to have lain down and shrugged off something as serious as Laos, just as we calmly shrugged off the loss of 700,000 lives in Pakistan, the so-called greatest disaster of all times.

But we are here as veterans to say we think we are in the midst of the greatest disaster of all times now because they are still dying over there, and not just Americans, Vietnamese, and we are rationalizing leaving that country so that those people can go on killing each other for years to come.

Americans seem to have accepted the idea that the war is winding down, at least for Americans, and they have also allowed the bodies which were once used by a President for statistics to prove that we were winning that war, to be used as evidence against a man who followed orders and who interpreted those orders no differently than hundreds of other men in Vietnam.

We veterans can only look with amazement on the fact that this country has been unable to see there is absolutely no difference between ground troops and a helicopter crew, and yet people have accepted a differentiation fed them by the administration.

No ground troops are in Laos, so it is all right to kill Laotians by remote control. But believe me the helicopter crews fill the same body bags and they wreak the same kind of damage on the Vietnamese and Laotian countryside as anybody else and the President is talking about allowing that to go on for many years to come. One can only ask if we will really be satisfied only when the troops march into Hanoi.

REQUEST FOR ACTION BY CONGRESS

We are asking here in Washington for some action, action from the Congress of the United States of America which has the power to raise and maintain armies, and which by the Constitution also has the power to declare war.

We have come here, not to the President, because we believe that this body can be responsive to the will of the people, and we believe that the will of the people says that we should be out of Vietnam now.

EXTENT OF PROBLEM OF VIETNAM WAR

We are here in Washington also to say that the problem of this war is not just a question of war and diplomacy. It is part and parcel of everything that we are trying as human beings to communicate to people in this country, the question of racism, which is rampant in the military, and so many other questions also, the use of weapons, the hypocrisy in our taking umbrage in the Geneva Conventions and using that as justification for a continuation of this war, when we are more guilty than any other body of violations of those Geneva Conventions, in the use of free fire zones, harassment interdiction fire, search and destroy missions, the bombings, the torture of prisoners, the killing of prisoners, accepted policy by many units in South Vietnam. That is what we are trying to say. It is part and parcel of everything.

An American Indian friend of mine who lives in the Indian Nation of Alcatraz put it

to me very succinctly. He told me how as a boy on an Indian reservation he had watched television and he used to cheer the cowboys when they came in and shot the Indians, and then suddenly one day he stopped in Vietnam and he said ''My God, I am doing to these people the very same thing that was done to my people.'' And he stopped. And that is what we are trying to say, that we think this thing has to end.

WHERE IS THE LEADERSHIP?

We are also here to ask, and we are here to ask vehemently, where are the leaders of our country? Where is the leadership? We are here to ask where are McNamara, Rostow, Bundy, Gilpatric and so many others. Where are they now that we, the men whom they sent off to war, have returned? These are commanders who have deserted their troops, and there is no more serious crime in the law of war. The Army says they never leave their wounded.

The Marines say they never leave even their dead. These men have left all the casualties and retreated behind a pious shield of public rectitude. They have left the real stuff of their reputations bleaching behind them in the sun in this country.

ADMINISTRATION'S ATTEMPT TO DISOWN VETERANS

Finally, this administration has done us the ultimate dishonor. They have attempted to disown us and the sacrifice we made for this country. In their blindness and fear they have tried to deny that we are veterans or that we served in Nam. We do not need their testimony. Our own scars and stumps of limbs are witnesses enough for others and for ourselves.

We wish that a merciful God could wipe away our own memories of that service as easily as this administration has wiped their memories of us. But all that they have done and all that they can do by this denial is to make more clear than ever our own determination to undertake one last mission, to search out and destroy the last vestige of this barbaric war, to pacify our own hearts, to conquer the hate and the fear that have driven this country these last 10 years and more, and so when, in 30 years from now, our brothers go down the street without a leg, without an arm, or a face, and small boys ask why, we will be able to say ''Vietnam'' and not mean a desert, not a filthy obscene memory but mean instead the place where America finally turned and where soldiers like us helped it in the turning.

Thank you. [Applause.]

The CHAIRMAN. Mr. Kerry, it is quite evident from that demonstration that you are speaking not only for yourself but for all your associates, as you properly said in the beginning.

COMMENDATION OF WITNESS

You said you wished to communicate. I can't imagine anyone communicating more eloquently than you did. I think it is extremely helpful and beneficial to the committee and the country to have you make such a statement.

You said you had been awake all night. I can see that you spent that time very well indeed. [Laughter.]

Perhaps that was the better part, better that you should be awake than otherwise.

PROPOSALS BEFORE COMMITTEE

You have said that the question before this committee and the Congress is really how to end the war. The resolutions about which we have been hearing testimony during the past several days, the sponsors of which are some members of this committee, are seeking the most practical way that we can find and, I believe, to do it at the earliest opportunity that we can. That is the purpose of these hearings and that is why you were brought here.

You have been very eloquent about the reasons why we should proceed as quickly as possible. Are you familiar with some of the proposals before this committee?

Mr. KERRY. Yes, I am, Senator.

The CHAIRMAN. Do you support or do you have any particular views about any one of them you wish to give the committee?

Mr. KERRY. My feeling, Senator, is undoubtedly this Congress, and I don't mean to sound pessimistic, but I do not believe that this Congress will, in fact, end the war as we would like to, which is immediately and unilaterally and, therefore, if I were to speak I would say we would set a date and the date obviously would be the earliest possible date. But I would like to say, in answering that, that I do not believe it is necessary to stall any longer. I have been to Paris. I have talked with both delegations at the peace talks, that is to say the Democratic Republic of Vietnam and the Provisional Revolutionary Government and of all eight of Madam Binh's points it has been stated time and time again, and was stated by Senator Vance Hartke when he returned from Paris, and it has been stated by many other officials of this Government, if the United States were to set a date for withdrawal the prisoners of war would be returned.

I think this negates very clearly the argument of the President that we have to maintain a presence in Vietnam, to use as a negotiating block for the return of those prisoners. The setting of a date will accomplish that.

As to the argument concerning the danger to our troops were we to withdraw or state that we would, they have also said many times in conjunction with that statement that all of our troops, the moment we set a date, will be given safe conduct out of Vietnam. The only other important point is that we allow the South Vietnamese people to determine their own future and that ostensibly is what we have been fighting for anyway.

I would, therefore, submit that the most expedient means of getting out of South Vietnam would be for the President of the United States to declare a cease-fire, to stop this blind commitment to a dictatorial regime, the Thieu-Ky-Khiem regime, accept a coalition regime which would represent all the political forces of the country which is in fact what a representative government is supposed to do and which is in fact what this Government here in this country purports to do, and pull the troops out without losing one more American, and still further without losing the South Vietnamese.

DESIRE TO DISENGAGE FROM VIETNAM

The CHAIRMAN. You seem to feel that there is still some doubt about the desire to disengage. I don't believe that is true. I believe there has been a tremendous change in the attitude of the people. As reflected in the Congress, they do wish to disengage and to bring the war to an end as soon as we can.

QUESTION IS HOW TO DISENGAGE

The question before us is how to do it. What is the best means that is most effective, taking into consideration the circumstances with which all governments are burdened? We have a precedent in this same country. The French had an experience, perhaps not traumatic as ours has been, but nevertheless they did make up their minds in the spring of 1954 and within a few weeks did bring it to a close. Some of us have thought that this is a precedent, from which we could learn, for ending such a war. I have personally advocated that this is the best procedure. It is a traditional rather classic procedure of how to end a war that could be called a stalemate, that neither side apparently has the capacity to end by military victory, and which apparently is going to go on for a long time. Speaking only for myself, this seems the more reasonable procedure.

I realize you want it immediately, but I think that procedure was about as immediate as any by which a country has ever succeeded in ending such a conflict or a similar conflict. Would that not appeal to you?

Mr. KERRY. Well, Senator, frankly it does not appeal to me if American men have to continue to die when they don't have to, particularly when it seems the Government of this country is more concerned with the legality of where men sleep than it is with the legality of where they drop bombs. [Applause.]

The CHAIRMAN. In the case of the French when they made up their mind to take the matter up at the conference in Geneva, they did. The first thing they did was to arrange a ceasefire and the killing did cease. Then it took only, I think, two or three weeks to tidy up all the details regarding the withdrawal. Actually when they made up their mind to stop the war, they did have a ceasefire which is what you are recommending as the first step.

Mr. KERRY. Yes, sir; that is correct.

The CHAIRMAN. It did not drag on. They didn't continue to fight. They stopped the fighting by agreement when they went to Geneva and all the countries then directly involved participated in that agreement.

I don't wish to press you on the details. It is for the committee to determine the best means, but you have given most eloquently the reasons why we should proceed as early as we can. That is, of course, the purpose of the hearing.

Mr. KERRY. Senator, if I may interject. I think that what we are trying to say is we do have a method. We believe we do have a plan, and that plan is that if this body were by some means either to permit a special referendum in this country so that the country itself might decide and therefore avoid this recrimination which people constantly refer to or if they couldn't do that, at least do it through immediate legislation which would state there would be an immediate ceasefire and we would be willing to undertake negotiations for a coalition government. But at the present moment that is not going to happen, so we are talking about men continuing to die for nothing and I think there is a tremendous moral question here which the Congress of the United States is ignoring.

The CHAIRMAN. The Congress cannot directly under our system negotiate a ceasefire or anything of this kind. Under our constitutional system we can advise the President. We have to persuade the President of the urgency of taking this action. Now we have certain ways in which to proceed. We can, of course, express ourselves in a resolution or we can pass an act which directly affects appropriations which is the most concrete positive way the Congress can express itself.

But Congress has no capacity under our system to go out and negotiate a cease-fire. We have to persuade the Executive to do this for the country.

EXTRAORDINARY RESPONSE DEMANDED BY EXTRAORDINARY QUESTION

Mr. KERRY. Mr. Chairman, I realize that full well as a study of political science. I realize that we cannot negotiate treaties and I realize that even my visits in Paris, precedents had been set by Senator McCarthy and others, in a sense are on the borderline of private individuals negotiating, et cetera. I understand these things. But what I am saying is that I believe that there is a mood in this country which I know you are aware of and you have been one of the strongest critics of this war for the longest time. But I

think if we can talk in this legislative body about filibustering for porkbarrel programs, then we should start now to talk about filibustering for the saving of lives and of our country. [Applause.]

And this, Mr. Chairman, is what we are trying to convey.

I understand. I really am aware that there are a tremendous number of difficulties in trying to persuade the Executive to move at this time. I believe they are committed. I don't believe we can. But I hope that we are not going to have to wait until 1972 to have this decision made. And what I am suggesting is that I think this is an extraordinary enough question so that it demands an extraordinary response, and if we can't respond extraordinarily to this problem then I doubt very seriously as men on each that we will be able to respond to the other serious questions which face us. I think we have to start to consider that. This is what I am trying to say.

If this body could perhaps call for a referendum in the country or if we could perhaps move now for a vote in 3 weeks, I think the people of this country would rise up and back that. I am not saying a vote nationwide. I am talking about a vote here in Congress to cut off the funds, and a vote to perhaps pass a resolution calling on the Supreme Court to rule on the constitutionality of the war, and to do the things that uphold those things which we pretend to be. That is what we are asking. I don't think we can turn our backs on that any longer, Senator.

The CHAIRMAN. Senator Symington?

WITNESS' SERVICE DECORATIONS

Senator SYMINGTON. Thank you, Mr. Chairman.

Mr. Kerry, please move your microphone. You have a Silver Star; have you not?

Mr. KERRY. Yes, I do.

Senator SYMINGTON. And a Purple Heart?

Mr. KERRY. Yes, I do.

Senator SYMINGTON. How many clusters?

Mr. KERRY. Two clusters.

Senator SYMINGTON. So you have been wounded three times.

Mr. KERRY. Yes, sir.

Senator SYMINGTON. I have no further questions, Mr. Chairman.

The CHAIRMAN. Senator Aiken. [Applause.]

NORTH VIETNAMESE AND VC ATTITUDE TOWARD DEFINITE WITHDRAWAL DATE

Senator AIKEN. Mr. Kerry, the Defense Department seems to feel that if we set a definite date for withdrawal when our forces get down to a certain level, they would be seriously in danger by the North Vietnamese and the Vietcong. Do you believe that the North Vietnamese would undertake to prevent our withdrawal from the country and attack the troops that remain there?

Mr. KERRY. Well, Senator, if I may answer you directly I believe we are running that danger with the present course of withdrawal because the President has neglected to state to this country, exactly what his response will be when we have reached the point that we do have, let us say, 50,000 support troops in Vietnam.

Senator AIKEN. I am not telling you what I think. I am telling you what the Department says.

Mr. KERRY. Yes Sir; I understand that.

Senator AIKEN. Do you believe the North Vietnamese would seriously undertake, to impede our complete withdrawal?

Mr. KERRY. No, I do not believe that the North Vietnamese would and it has been clearly indicated at the Paris peace talks they would not.

Senator AIKEN. Do you think they might help carry the bags for us? [Laughter.]

Mr. KERRY. I would say they would be more prone to do that than the Army of the South Vietnamese. [Laughter.] [Applause.]

Senator AIKEN. I think your answer is ahead of my question. [Laughter.]

SAIGON GOVERNMENT'S ATTITUDE TOWARD COMPLETE WITHDRAWAL DATE

I was going to ask you next what the attitude of the Saigon government would be if we announced that we were going to withdraw our troops, say, by October 1st, and be completely out of there—air, sea, land—leaving them on their own. What do you think would be the attitude of the Saigon government under those circumstances?

Mr. KERRY. Well, I think if we were to replace the Thieu-Ky-Khiem regime and offer these men sanctuary somewhere, which I think this Government has an obligation to do since we created that government and supported it all along. I think there would not be any problems. The number two man at the Saigon talks to Ambassador Lam was asked by the Concerned Laymen, who visited with them in Paris last month, how long they felt they could survive if the United States— would pull out and his answer was 1 week. So I think clearly we do have to face this question. But I think, having done what we have done to that country, we have an obligation to offer sanctuary to the perhaps 2,000, 3,000 people who might face, and obviously they would, we understand that, might face political assassination something, else. But my feeling is that those 3,000 who may have to leave that country

ATTITUDE OF SOUTH VIETNAMESE ARMY AND PEOPLE TOWARD WITHDRAWAL

Senator AIKEN. I think your 3,000 estimate might be a little low because we had to help 800,000 find sanctuary from North Vietnam after the French lost at Dienbienphu. But assuming that we resettle the members of the Saigon government, who would undoubtedly be in danger, in some other area, what do you think would be the attitude of the large, well-armed South Vietnamese army and the South Vietnamese people? Would they be happy to have us withdraw or what?

Mr. KERRY. Well, Senator, this obviously is the most difficult question of all, but I think that at this point the United States is not really in a position to consider the happiness of those people as pertains to the army in our withdrawal. We have to consider the happiness of the people as pertains to the life which they will be able to lead in the next few years.

If we don't withdraw, if we maintain a Korean-type presence in South Vietnam, say 50,000 troops or something, with strategic bombing raids from Guam and from Japan and from Thailand dropping these 15,000 pound fragmentation bombs on them, et cetera, in the next few years, then what you will have is a people who are continually oppressed, who are continually at warfare, and whose problems will not at all be solved because they will not have any kind of representation.

The war will continue. So what I am saying is that yes, there will be some recrimination but far, far less than the 200,000 a year who are murdered by the United States of America, and we can't go around President Kennedy said this many times. He said that the United States simply can't right every wrong, that we can't solve the problems of the other 94 percent of mankind. We didn't go into East Pakistan; we didn't go into Czechoslovakia. Why then should we feel that we now have the power to solve the internal political struggles of this country?

We have to let them solve their problems while we solve ours and help other people in an altruistic fashion commensurate with our capacity. But we have extended that capacity; we have exhausted that capacity, Senator. So I think the question is really moot.

Senator AIKEN. I might say I asked those questions several years ago, rather ineffectively. But what I would like to know now is if we, as we complete our withdrawal and, say, get down to 10,000, 20,000, 30,000 or even 50,000 troops there, would there be any effort on the part of the South Vietnamese government or the South Vietnamese army, in your opinion, to impede their withdrawal?

Mr. KERRY. No. I don't think so, Senator.

Senator AIKEN. I don't see why North Vietnam should object.

Mr. KERRY. I don't for the simple reason, I used to talk with officers about their—we asked them, and one officer took great pleasure in playing with me in the sense that he would say, ''Well, you know you Americans, you come over here for 1 year and you can afford, you know, you go to Hong Kong for R. & R. and if you are a good boy you get another R. & R. or something you know. You can afford to charge bunkers, but I have to try and be here for 30 years and stay alive.'' And I think that that really is the governing principle by which those people are now living and have been allowed to live because of our mistake. So that when we in fact state, let us say, that we will have a ceasefire or have a coalition government, most of the 2 million men you often hear quoted under arms, most of whom are regional popular reconnaissance forces, which is to say militia, and a very poor militia at that, will simply lay down their arms, if they haven't done so already, and not fight. And I think you will find they will respond to whatever government evolves which answers their needs, and those needs quite simply are to be fed, to bury their dead in plots where their ancestors lived, to be allowed to extend their culture, to try and exist as human beings. And I think that is what will happen.

I can cite many, many instances, sir, as in combat when these men refused to fight with us, when they shot with their guns over in this area like this and their heads turned facing the other way. When we were taken under fire we Americans, supposedly fighting with them, and pinned down in a ditch, and I was in the Navy and this was pretty unconventional, but when we were pinned down in a ditch recovering bodies or something and they refused to come in and help us, point blank refused. I don't believe they want to fight, sir.

OBLIGATION TO FURNISH ECONOMIC ASSISTANCE

Senator AIKEN. Do you think we are under obligation to furnish them with extensive economic assistance?

Mr. KERRY. Yes, sir. I think we have a very definite obligation to make extensive reparations to the people of Indochina.

Senator AIKEN. I think that is all.

The CHAIRMAN. Senator Pell.

Senator PELL. Thank you, Mr. Chairman.

As the witness knows, I have a very high personal regard for him and hope before his life ends he will be a colleague of ours in this body.

GROWTH OF OPPOSITION TO WAR

This war was really just as wrong, immoral, and unrelated to our national interests 5 years ago as it is today, and I must say I agree with you. I think it is rather poor taste for the architects of this war to now be sitting as they are in quite sacrosanct intellectual glass houses.

I think that this committee, and particularly Chairman Fulbright, deserve a huge debt of gratitude from you and everyone of your men who are here because when he conducted hearings some years ago when we were fighting in Vietnam. At that time the word ''peace'' was a dirty word. It was tied in with ''appeasement'' and Nervous Nellies and that sort of thing. Chairman Fulbright and this committee really took public opinion at that time and turned it around and made ''peace'' a respectable word and produced the

climate that produced President Johnson's abdication.

The problem is that the majority of the people in the Congress still don't agree with the view that you and we have. As the chairman pointed out, and as you know as a student of political science, whenever we wanted to end this war, we could have ended this war if the majority of us had used the power of the purse strings. That was just as true 5 years ago as it is today.

I don't think it is a question of guts. We didn't have the desire to do that and I am not sure the majority has the desire to do that yet. Whenever we want to as a Congress, we could do it. We can't start an action, but we can force an action with the purse strings.

I think it is wonderful you veterans have come down here as a cutting edge of public opinion because you again make this have more respect and I hope you succeed and prevail on the majority of the Congress.

VOTING OF VETERANS AND NONVETERANS CONCERNING VIETNAM WAR

It is interesting, speaking of veterans and speaking of statistics, that the press has never picked up and concentrated on quite interesting votes in the past. In those votes you find the majority of hawks, were usually nonveterans and the majority of doves were usually veterans. Specifically, of those who voted in favor of the Hatfield-McGovern end-the-war amendment in the last session of the Congress 79 percent were veterans with actual military service. Of those voting against the amendment, only 36 percent were veterans.

Now on the sponsors of the Cooper-Church amendment you will find very much the same statistics. Eighty-two percent were veterans as compared to 71 percent of the Senate as a whole being veterans. So I would hope what you are doing will have an effect on the Congress.

OBLIGATION TO SOUTH VIETNAMESE. ALLIES

I have two questions I would like to ask you. First, I was very much struck by your concern with asylum because now I see public opinion starting to swing and Congress passing legislation. Before they wouldn't get out at all; now they are talking about getting out yesterday. When it comes to looking after the people who would be killed if we left or badly ruined, I would hope you would develop your thinking a little bit to make sure that American public opinion, which now wants to get out, also bears in mind that when we depart we have an obligation to these people. I hope you will keep to that point.

ACTIONS OF LIEUTENANT CALLEY

Finally, in connection with Lieutenant Calley, which is a very emotional issue in this country, I was struck by your passing reference to that incident.

Wouldn't you agree with me though that what he did in herding old men, women and children into a trench and then shooting them was a little bit beyond the perimeter of even what has been going on in this war and that that action should be discouraged. There are other actions not that extreme that have gone on and have been permitted. If we had not taken action or cognizance of it, it would have been even worse. It would have indicated we encouraged this kind of action.

Mr. KERRY. My feeling, Senator, on Lieutenant Calley is what he did quite obviously was a horrible, horrible, horrible thing and I have no bone to pick with the fact that he was prosecuted. But I think that in this question you have to separate guilt from responsibility, and I think clearly the responsibility for what has happened there lies elsewhere.

I think it lies with the men who designed free fire zones. I think it lies with the men who encouraged body counts. I think it lies in large part with this country, which allows a young child before he reaches the age of 14 to see 12,500 deaths on television, which glorifies the John Wayne syndrome, which puts out fighting man comic books on the stands, which allows us in training to do calisthenics to four counts, on the fourth count of which we stand up and shout ''kill'' in unison, which has posters in barracks in this country with a crucified Vietnamese, blood on him, and underneath it says ''kill the gook,'' and I think that clearly the responsibility for all of this is what has produced this horrible abberation.

Now, I think if you are going to try Lieutenant Calley then you must at the same time, if this country is going to demand respect for the law, you must at the same time try all those other people who have responsibility, and any aversion that we may have to the verdict as veterans is not to say that Calley should be freed, not to say that he is innocent, but to say that you can't just take him alone, and that would be my response to that.

Senator PELL. I agree with you. The guilt is shared by many, many, many of us, including the leaders of the get-out-now school. But in this regard if we had not tried him, I think we would be much more criticized and should be criticized. I would think the same fate would probably befall him as befell either Sergeant or Lieutenant Schwarz of West Virginia who was tried for life for the same offense and is out on a 9 months commuted sentence. By the same token I would hope the quality of mercy would be exercised in this regard for a young man who was not equipped for the job and ran amuck. But I think public opinion should think this through. We who have taken this position find ourselves very much in the minority.

Mr. KERRY. I understand that, Senator, but I think it is a very difficult thing for the public to think through faced with the facts. The fact that 18 other people indicted for the very same crime were freed and the fact among those were generals and colonels. I mean this simply is not justice. That is all. It is just not justice.

Senator PELL. I guess it is the revolutionary adage. When you see the whites of their eyes you are more guilty. This seems to be our morality as has been pointed out. If you drop a bomb from a plane, you don't see the whites of their eyes.

I agree with you with the body count. It is like a Scottish nobleman saying, ''How many grouse were caught on the moor.'' Four or five years ago those of us who criticized were more criticized.

Thank you for being here and I wish you all success. [Applause.]

The CHAIRMAN. Senator from New Jersey.

Senator CASE. Thank you, Mr. Chairman.

STRATEGIC IMPLICATIONS OF VIETNAM WAR

Mr. Kerry, thank you too for coming You have made more than clear something that I think always has been true: that the war never had any justification in terms of Indochina itself. I wish you would take this question a little further and touch on the larger strategic implications. It is in these larger strategic implications, if anywhere, that may be found justification for our involvement. As you know, the President said the other day that it is easy to get out and to end the war immediately.

The question is to get out and leave a reasonable chance for lasting peace. We have to look at this because the American people are going to see the issue in the terms he has defined it. I would be glad to have your comment on this matter, although I won't press you to discuss it because in a sense you have already said this is not your area.

Mr. KERRY. I do want to. I want to very much.

Senator CASE. And I would be very glad to have you do it.

Mr. KERRY. Thank you, sir. I would like to very much.

In my opinion what we are trying to do, as the President talks about getting out with a semblance of honor is simply whitewashing ourselves. On the question of getting out with some semblance for peace, as a man who has fought here, I am dying to say that this policy has no chance for peace. You don't have a chance for peace when you arm the people of another country and tell them they can fight a war. That is not peace; that is fighting a war; that is continuing a war. That is even criminal in the sense that this country, if we are really worried about recrimination, is going to have to some day face up to the fact that we convinced a certain number of people, perhaps hundreds of thousands, perhaps there will be several million, that they could stand up to something which they couldn't and ultimately will face the recrimination of the fact that their lives in addition to all the lives at this point, will be on our conscience. I don't think it is a question of peace at all. What we are doing is very, very hypocritical in our withdrawal, and we really should face up to that.

Senator CASE. May I press you just a little further or at least raise the question on which I would ask you to comment.

Mr. KERRY. I wish you would, please.

INDOCHINA AND QUESTION OF WORLD PEACE

Senator CASE. I think your answer was related still to the question of Indochina, but I think the President has tried to tie in Indochina with the question of world peace.

Mr. KERRY. I would like to discuss that.

It is my opinion that the United States is still reacting in very much the 1945 mood and postwar cold-war period when we reacted to the forces which were at work in World-War II and came out of it with this paranoia, about the Russians and how the world was going to be divided up between the super powers, and the foreign policy of John Foster Dulles which was responsible for the creation of the SEATO treaty, which was, in fact, a direct reaction to this so called Communist monolith: And I think we are reacting under cold-war precepts which are no longer applicable.

I say that because so long as we have the kind of strike force we have, and I am not party to the secret statistics which you gentlemen have here, but as long as we have the ones which we of the public know we have, I think we have a strike force of such capability and I think we have a strike force simply in our Polaris submarines, in the 62 or some Polaris submarines, which are constantly roaming around under the sea. And I know as a Navy man the underwater detection is the hardest kind in the world, and they have not perfected it, that we have the ability to destroy the human race. Why do we have to, therefore, consider and keep considering threats?

At any time that an actual threat is posed to this country or to the security and freedom I will be one of the first people to pick up a gun and defend it, but right now we are reacting with paranoia to this question of peace and the people taking over the world. I think if we are ever going to get down to the question of dropping those bombs most of us in my generation simply don't want to be alive afterwards because of the kind of world that it would be with mutations and the genetic probabilities of freaks and everything else.

Therefore, I think it is ridiculous to assume we have to play this power game based

on total warfare. I think there will be guerrilla wars and I think we must have a capability to fight those. And we may have to fight them somewhere based on legitimate threats, but we must learn; in this country, how to define those threats and that is what I would say to this question of world peace. I think it is bogus, totally artificial. There is no threat. The Communists are not about to take over our McDonald hamburger stands. [Laughter.]

Senator, I will say this. I think that politically, historically, the one thing that people try to do, that society is structured on as a whole, is an attempt to satisfy their felt needs, and you can satisfy those needs with almost any kind of political structure, giving it one name or the other. In this name it is democratic; in others it is communism, in, others it is benevolent dictatorship. As long as those needs are satisfied, that structure will exist.

But when you start to neglect those needs, people will start to demand a new structure, and that, to me, is the only threat that this country faces now, because we are not responding to the needs and we are not responding to them because we work on these old cold-war precepts and because we have not woken up to realizing what is happening in the United States of America.

Senator CASE. I thank you very much. I wanted you to have a chance to respond to the question of Indochina in a large context.

Mr. Chairman, I have just one further thing to do. Senator Javits had to go to the floor on important business, and he asked me to express his regret that he couldn't stay and also that if he had stayed he would have limited his participation to agreement with everything Senator Symington said. [Applause.]

BACKGROUND OF VIETNAM WAR

The CHAIRMAN. Mr. Kerry, I have one other aspect of this I would like to explore for a moment. I recognize you and your associates, putting it on a personal point of view, feeling the seriousness and the tragedy of the experience in Vietnam. But I am disturbed very much by the possibility that your generation may become or is perhaps already in the process of becoming disillusioned with our whole country, with our system of government. There was much said about it. You didn't say it, but others have said this. I wonder if we could explore for a moment the background of this war.

It has seemed to me that its origin was essentially a mistake in judgment, beginning with our support of the French as a colonial power, which, I believe, is the only time our country has ever done that. Always our sympathies has been with the colony. If you will recall, we urged the British to get out of Egypt and India, and we urged, many thought too vigorously, the Dutch prematurely to get out of Indonesia. I think there was much criticism that we acted prematurely in urging the Belgians to get out of the Congo. In any case, the support of the French to maintain their power was a departure from our traditional attitude toward colonial powers because of our own history.

It started in a relatively small way by our support of the French. Then one thing led to another. But these were not decisions, I believe, that involved evil motives. They were political judgments which at that time were justified by the conditions in the world. You have already referred to the fact that after World War II there was great apprehension, and I think properly. The apprehension was justified by the events, especially from Stalin's regime. There was apprehension that he would be able, and if he could he would impose his regime by force on all of Western Europe which could have created an extremely difficult situation which would amount to what you said a moment ago. You said if our country was really threatened, you would have no hesitancy in taking up a gun. So I think, in trying to evaluate the course of our involvement in this war, we have to take all of this into consideration. It was not a sign of any moral degradation or of bad motives. They were simply political judgments as to where our interest really was.

In retrospect I think we can say that our interest was not in supporting the French, that it was not in intervening, and it was not in undoing the Geneva Accords by the creation of SEATO, but that is all history. I am not saying this in order to try to lay the blame on anyone, but to get a perspective of our present situation, and hopefully to help, if I can, you and others not to be too disillusioned and not to lose faith in the capacity of our institutions to respond to the public welfare. I believe what you and your associates are doing today certainly contributes to that, by the fact that you have taken the trouble to think these things through, and to come here. I know it is not very pleasant to do the things you have done.

While I wouldn't presume to compare my own experience, I have taken a great deal of criticism since I myself in 1965 took issue with the then President Johnson over his policies. I did what I could within my particular role in the Government to persuade both President Johnson and subsequent political leaders that this was not in the interests of our country. I did this, not because I thought they were evil men inherently or they were morally misguided, but their political judgment was wrong. All of us, of course, know that as fallible human beings we all make errors of judgment.

POSSIBILITY OF MAKING U.S. INSTITUTIONS WORK EFFECTIVELY

I think it is helpful to try to put it in perspective and not lose confidence in the basically good motives and purposes of this country. I believe in the possibility of making our institutions work effectively. I think they can be made responsive to the welfare of the people and to proper judgments. I only throw this out because I have a feeling that because of the unusual horror that has developed from this war too many people may lose confidence in our system as a whole. I know of no better system for a country as large as this, with 200-plus millions of people. No other country comparable to it in history has ever made a democratic system work.

They have all become dictatorships when they have achieved the size and complexity of this country. Only smaller countries really have made a democratic system work at all.

So I only wish to throw it out hopefully that, in spite of the tragic experiences of you and so many other people and the deaths of so many people, this system is not beyond recall and with the assistance of people like yourself and the younger generation we can get back on the track, and can make this system operate effectively.

I know that the idea of working within the system has been used so much, and many people have lost confidence that it can be done. They wish to destroy the system, to start all over, but I don't think in the history of human experience that those destructions of systems work. They usually destroy everything good as well as bad, and you have an awful lot of doing to recreate the good part and to get started again.

So I am very hopeful that the younger generation—and I am certainly getting at the end of my generation because I have been here an awfully long time—but that you younger people can find it possible to accept the system and try to make it work because I can't at the moment think of a better one given the conditions that we have in this country and the great complexity and diversity.

I really believe if we can stop this war—I certainly expect to do everything I can. I have done all I can with all my limitations. I am sure many people have thought I could do bettor, but I did all that I was capable of doing and what wisdom I may have has been applied to it. I hope that you and your colleagues will feel the same way or at least you will accept the structure of the system and try to make it work. I can see no better alternative to offer in its place.

If I thought there was one, I would certainly propose it or try.

CAN BASIC SYSTEM BE MADE TO WORK?

Have you yourself arrived at the point where you believe that basic structural changes must be brought about in our system or do you believe it can be made to work?

Mr. KERRY. I don't think I would be here if I didn't believe that it can be made to work, but I would have to say, and one of the traits of my generation now is that people don't pretend to speak for other people in it, and I can only speak as an individual about it, but I would say that I have certainly been frustrated in the past months, very, very seriously frustrated. I have gone to businessmen all over this country asking for money for fees, and met with a varying range of comments, ranging from ''You can't sell war crimes'' to, ''War crimes are a glut on the market'' or to ''well, you know we are tired now, we have tried, we can't do anything.'' So I have seen unresponsiveness on the racial question in this country. I see an unwillingness on the part of too many of the members of this body to respond, to take gutsy stands, to face questions other than their own reelection, to make a profile of courage, and I am—although still with faith—very, very, very full of doubt, and I am not going to quit. But I think that unless we can respond on as a great a question as the war, I seriously question how we are going to find the kind of response needed to meet questions such as poverty and hunger and questions such as birth control and so many of the things that face our society today from low income housing to schooling, to recent reaction to the Supreme Court's decision on busing.

But I will say that I think we are going to keep trying. I also agree with you, Senator. I don't see another system other than democracy, but democracy has to remain responsive. When it does not, you create the possibilities for all kinds of other systems to supplant it, and that very possibility, I think, is beginning to exist in this country.

The CHAIRMAN. That is why I ask you that. The feeling that it cannot be made responsive comes not so much from what you have said but from many different sources. I can assure you I have been frustrated too. We have lost most of our major efforts. That is we have not succeeded in getting enough votes, but there has been a very marked increase, I think, in the realization of the seriousness of the war. I think you have to keep in perspective, as I say, the size and complexity of the country itself and the difficulties of communication. This war is so far removed. The very fact, as you have said, you do not believe what happens there to be in the vital interests of this country, has from the beginning caused many people to think it wasn't so important.

GRADUAL DEVELOPMENT OF CONCERN ABOUT VIETNAM WAR

In the beginning, back in the times that I mentioned when we first supported the

French and throughout the 1950's up until the 1960's, this whole matter was not very much on the minds of anybody in the Congress. We were more preoccupied with what was going on in Western Europe, the fear, particularly during Stalin's time, that lie might be able to subjugate all of Western Europe, which would have been a very serious challenge to us. This grew up almost as a peripheral matter without anyone taking too much notice until the 1960's. The major time when the Congress, I think, really became concerned about the significance of the war was really not before 1965, the big escalation. It was a very minor sideshow in all the things in which this country was involved until February of 1965. That was when it became a matter that, you might say, warranted and compelled the attention of the country. It has been a gradual development of our realization of just what we were into.

As I said before, I think this came about not because of bad motives but by very serious errors in political judgment as to where our interest lies and what should be done about it.

I am only saying this Hopefully to at least try to enlist your consideration, of the view that in a country of this kind I don't believe there is a better alternative from a structural point of view. I think the structure of our Government is sound.

To go back to my own State certainly, leaving out now the war, its affairs are being well managed. The people are, as you may say, maybe too indifferent to this.

Mr. KERRY. As it does in Massachusetts, too.

The CHAIRMAN. I have often thought they were too indifferent to it, but they have responded to the arguments as to where our interest lies quite well, at least from my personal experience. Otherwise I would not be here. But I think there is a gradual recognition of this.

WAR'S INTERFERENCE WITH DEALING WITH OTHER PROBLEMS

I also feel that if we could finish the war completely within the reasonably near future, as some of the proposals before this committee are designed to do if we can pass them, I think the country can right itself and get back on the track, in a reasonably quick time, dealing with the problems you mentioned. We are aware and conscious of all of them.

The thing that has inhibited us in doing things about what ,you mention has been the war. It has been the principal obstacle to dealing with these other problems with which you are very concerned, as, I think, the Congress is. Always we are faced with the demands of the war itself. Do you realize that this country has put well over $1,000 billion into military affairs since World War II?

I think it now approaches $1,500 billion. It is a sum so large no one can comprehend it, but I don't think outside of this war issue there is anything fundamentally wrong with the system that cannot be righted.

If we can give our resources to those developments, I don't have any doubt myself that it can be done. Whether it will be done or not is a matter of will. It is a matter of conviction of the various people who are involved, including the younger generation.

In that connection, I may say, the recent enactment of the right of all people from 18 years up to vote is at least a step in the direction where you and your generation can have an effect.

I hope that you won't lose faith in it. I hope you will use your talents after the war is over, and it surely will be over, to then attack these other problems and to make the system work.

I believe it can be made to work.

Do you have anything else you would like to say?

Mr. KERRY. Would you like me to respond at all, sir?

The CHAIRMAN. If you care to.

Mr. KERRY. Well, my feeling is that if you are talking about the ideal structure of this country as it is written down in the Constitution, then you or I would not differ at all. Yes, that is an ideal structure.

DEVELOPMENTS IN UNITED STATES REQUIRING FUNDAMENTAL CHANGES

What has developed in this country, however, at this point is something quite different and that does require some fundamental changes. I do agree with you that what happened in Vietnam was not the product of evil men seeking evil goals. It was misguided principles and judgments and other things.

However, at some point you have to stop playing the game. At some point you have to say, ''All right we did make a mistake.'' At some point the basic human values have to come back into this system and at this moment we are so built up within it by these outside structures, other interests, for instance, government by vested power which, in fact, you and I really know it is. When a minority body comes down here to Washington with a bill, those bodies which have the funds and the ability to lobby are those which generally get it passed. If you wanted to pass a health care medical bill, which we have finally perhaps gotten to this year, we may, but in past years the AMA has been able to come down here and squash them. The American Legion has successfully prevented people like Vietnam Veterans against the War from getting their programs through the Veterans' Administration. Those bodies in existence have tremendous power.

There is one other body that has tremendous power in this country, which is a favorite topic of Vice President Agnew and I would take some agreement with him. That would be the fourth estate. The press. I think the very reason that we veterans are here today is the result partially of our inability to get our story out through the legitimate channels.

That is to say, for instance, I held a press conference here in Washington, D.C., some weeks ago with General Shoup, with General Hester, with the mother of a prisoner of war, the wife of a man who was killed, the mother of a soldier who was killed, and with a bilateral amputee, all representing the so-called silent majority, the silent so-called majority which the President used to perpetuate the war, and because it was a press conference and an antiwar conference and people simply exposing ideas we had no electronic media there.

I called the media afterward and asked them why and the answer was, from one of the networks, it doesn't have to be identified, ''because, sir, news business is really partly entertainment business visually, you see, and a press conference like that is not visual.''

Of course, we don't have the position of power to get our ideas out, I said, ''If I take-some crippled veterans down to the White House and we chain ourselves to the gates, will we get coverage?'' ''Oh, yes, we will cover that.''

So you are reduced to a position where the only way you can get your ideas out is to stage events, because had we not staged the events with all due respect, Senator, and I really appreciate the fact that I am here obviously, and I know you are committed to this, but with all due respect I probably wouldn't be sitting at this table. You see this is the problem.

It goes beyond that. We really have a constitutional crisis in this country right now. The Constitution under test, and we are failing. We are failing clearly because the power of the Executive has became exorbitant, because Congress has not wanted to exercise its own power, and so that is going to require some very fundamental changes.

So the system itself on paper, no, it is a question of making it work, and in that I would agree with you, and I think that things are changing in a sense. I think the victory of the ABM was a tremendous boost.

The CHAIRMAN. SST.

Mr. KERRY. SST, excuse me.

The CHAIRMAN. I hope the ABM.

[Applause.]

Mr. KERRY. Wrong system.

I think the fact that certain individuals are in Congress today, particularly in the House, who several years ago could never have been. I would cite Representative Dellums and Congresswoman Abzug and Congressman Drinan and people like this. I think this is a terribly encouraging sign, and I think if nothing more, and this is really sad poetic justice, if nothing more, this war when it is over, will ultimately probably have done more to awaken the conscience of this country than any other similar thing. It may in fact be the thing that will set us on the right road.

I earnestly hope so and I join you in that.

But meanwhile, I think we still need that extraordinary response to the problem that exists and I hope that we will get it.

IMPACT OF VIETNAM WAR AND OTHERS ON CONSTITUTIONAL BALANCE

The CHAIRMAN. I am glad to hear you say that. I have the same feeling. But you must remember we have been through nearly 30 years of warfare or cold war or crises which I think have upset the balance, as you say, in our constitutional system. Senator Javits has introduced a bill with regard to the war powers in an effort to reestablish what we believe to be the constitutional system in which you say you have confidence. I introduced and we passed a commitments resolution. There are a number of others. I won't relate them all, but they are all designed to try to bring back into proper relationship the various elements in our Government. This effort is being made.

I think the culprit is the war itself. The fact we had been at war, not just the Vietnam war but others too, diverted the attention of our people from our domestic concerns and certainly eroded the role of the Congress. Under the impact of this and other wars we have allowed this distortion to develop. If we can end the war, there is no good reason why it cannot be corrected.

REPRESENTATION OF CONSTITUENCIES

You mentioned some new faces in the Congress. After all, all these people get here because of the support back home, as you know. They are simply representative of their constituents. You do accept that, I believe.

Mr. KERRY. Partially, not totally.

The CHAIRMAN. Why not?

Mr. KERRY. As someone who ran for office for 3½ weeks, I am aware of many of the problems involved, and in many places, you can take certain districts in New York City, the structure is such that people can't really run and represent necessarily the people. People often don't care. The apathy is so great that they believe they are being represented when in fact they are not. I think that you and I could run through a list of people in this body itself and find many who are there through the powers of the office itself as opposed to the fact they are truly representing the people. It is very easy to give the illusion of representing the people

through the frank privileges which allow you to send back what you are doing here in Congress. Congressman insert so often.

You know, they gave a speech for the Polish and they gave a speech for the Irish and they gave a speech for this, and actually handed the paper in to the clerk and the clerk submits it for the record and a copy of the record goes home and people say, ''Hey, he really is doing something for me.'' But he isn't.

The CHAIRMAN. Well——

Mr. KERRY. Senator, we also know prior to this past year the House used to meet in the Committee of the Whole and the Committee of the Whole would make the votes, and votes not of record and people would file through, and important legislation was decided then, and after the vote came out and after people made their hacks and cuts, and the porkbarrel came out, the vote was reported and gave them an easy out and they could say ''Well, I voted against this.'' And actually they voted for it all the time in the committee.

Some of us know that this is going on. So I would say there are problems with it. Again I come back and say they are not insoluble. They can be solved, but they can only be solved by demanding leadership, the same kind of leadership that we have seen in some countries during war time. That seems to be the few times we get it. If we could get that kind because I think we are in a constant war against ourselves and I would like to see that come—they should demand it of each other if we can demand it of people.

The CHAIRMAN. Take the two cases of what goes on in the House about the secret votes. That is not a structural aspect of our Government. That is a regulation or whatever you call it of the procedures in the House itself.

NECESSITY OF INFORMED ELECTORATE

Fundamentally you said that the people can bamboozle their constituents; they can fool them. Of course, that is quite true of any system of a representative nature. The solution to that is to inform the electorate itself to the extent that they recognize a fraud or a phony when they have one. This is not easy to do, but it is fundamental in a democracy. If you believe in a democratic system, the electorate who elect the representatives have to have sufficient capacity for discrimination. They have to be able to tell the difference between a phony, someone who simply puts pieces in the record, and someone who actually does something, so that they can recognize it in an election, if they are interested.

Now if they are apathetic, as you say they are apathetic, and don't care, then democracy cannot work if they continue to be apathetic and don't care who represents them. This comes back to a fundamental question of education through all different resources, not only the formal education but the use of the media and other means to educate them. Our Founding Fathers recognized that you couldn't have a democracy without an informed electorate. It comes back to the informing of the electorate; doesn't it? That is not a structural deficiency in our system. You are dealing now with the deficiencies of human nature, the failure of their education and their capacity for discrimination in the selection of their representatives.

I recognize this is difficult. All countries have had this same problem and so long as they have a representative system this has to be met. But there is no reason why it cannot be met.

A structural change does not affect the capacity of the electorate to choose good representatives; does it?

COST OF ELECTION CAMPAIGNS

Mr. KERRY. Well, no, sir; except for the fact that to run for representative in any populated area costs about $50,000. Many people simply don't have that available, and. in order to. get it inevitably wind up with their hands tied.

The CHAIRMAN. That is a common statement, but we had an example during this last year of a man being elected because he walked through Florida with a minimum of money. As he became attractive to the people he may have received more, but he started without money. You are familiar with Mr. Chiles.

Mr. KERRY. Yes, I am familiar. I understand it.

The CHAIRMAN. I know in my own state, our Governor started without any money or with just himself and came from nowhere and defeated a Rockefeller. So it is not true that you have to have a lot of money to get elected. If you have the other things that it takes, personality, the determination and the intelligence, it is still possible. ''There were other examples, but those are well known. I don't think it is correct to say you have to have a lot of money. It helps, of course. It makes it easier and all that, but it isn't essential. I think you can cite many examples where that is true.

ESSENTIAL QUESTION WILL BE RESPONSE TO VIETNAM ISSUE

Mr. KERRY. Senator, I would basically agree with what you are saying and obviously we could find exceptions to parts of everything everywhere and I understand really the essential question is going to be the response to the issue of Vietnam.

The CHAIRMAN. I agree with that. I can assure you that this committee and, certainly, I are going to do everything we can. That is what these hearings are about. It is lust by coincidence you came to Washington in the very midst of them. We only opened these hearings on Tuesday of this week. I personally believe that the great majority of all the people of this country are in accord with your desire, and certainly mine, to get the war over at the earliest possible moment. All we are concerned with at the moment is the best procedure to bring that about, the procedure to persuade the President to take the steps that will bring that about. I for one have more hope now than I had at any time in the last 6 years because of several things you have mentioned. I think there is a very good chance that it will be brought about in the. reasonably near future.

COMMENDATION OF VIETNAM VETERANS AGAINST THE WAR

I think you and your associates have contributed a great deal in the actions you have taken. As I said in the beginning, the fact that you have shown both great conviction and patience about this matter and at the same time conducted yourself in the most commendable manner has been the most effective demonstration, if I may use that word. Although you have demonstrated in the sense that has become disapproved of in some circles, I think you have demonstrated in the most proper way and the most effective way to bring about the results that you wish and I believe you have made a great contribution.

I apologize. I am not trying to lecture you about our Government. I have just been disturbed, not so much by you as by other things that have happened, that the younger generation has lost faith in our system. I don't think it is correct. I think the paranoia to which you referred has been true. It arose at a time when there was reason for it perhaps, but we have long since gone out of that time, and I think your idea of timing is correct. But I congratulate you and thank you very much for coming. [Applause.]

Senator Symington would like to ask a question.

Senator SYMINGTON. Yes. Mr. Kerry I had to leave because we are marking up the selective service bill in the Armed Services Committee. But I will read the record.

ATTITUDE OF SERVICEMEN TOWARD CONGRESSIONAL OPPOSITION TO WAR

The staff has a group of questions here, four of which I would ask. Over the years members of this committee who spoke out in opposition to the war were often accused of stabbing our boys in the back. What, in your opinion, is the attitude of servicemen in Vietnam about congressional opposition to the war?

Mr. KERRY. If I could answer that, it is very difficult, Senator, because I just know, I don't want to get into the game of saying I represent everybody over there, but let me try to say, as straightforwardly as I can, we had an advertisement, ran full page, to show you what the troops read. It ran in Playboy and the response to it within two and a half weeks from Vietnam was 1,200 members. We received initially about 50 to 80 letters a day from troops there. We now receive about 20 letters a day from troops arriving at our New York office. Some of these letters—and I wanted to bring some down, I didn't know we were going to be testifying here and I can make them available to you—are very, very moving, some of them written by hospital corpsmen on things, on casualty report sheets which say, you know, ''Get us out of here.'' ''You are the only hope we have got.'' ''You have got to get us back; it is crazy.'' We received recently 80 members of the 101st Airborne signed up in one letter. Forty members from a helicopter assault squadron, crash and rescue mission signed up in another one.

I think they are expressing, some of these troops, solidarity with us, right now by wearing black arm bands and Vietnam Veterans Against the War buttons. They want to come out and I think they are looking at the people who want to try to get them out as a help.

However, I do recognize there are some men who are in the military for life. The job in the military is to fight wars. When they have a war to fight, they are just as happy in a sense, and I am sure that these men feel they are being stabbed in the back. But, at the same time, I think to most of them the realization of the emptiness, the hollowness, the absurdity of Vietnam has finally hit home, and I feel if they did come home the recrimination would certainly not come from the right, from the military. I don't think there would be that problem.

Senator SYMINGTON. Thank you.

Has the fact Congress has never passed a declaration of war undermined the morale of U.S. servicemen in Vietnam, to the best of your knowledge?

Mr. KERRY. Yes; it has clearly and to a great, great extent.

USE OF DRUGS BY U.S. SERVICEMEN IN VIETNAM

Senator SYMINGTON. There have been many reports of widespread use of drugs by U.S. servicemen in Vietnam. I might add I was in Europe last week and the growth of that problem was confirmed on direct questioning of people in the military. How serious is the problem and to what do you attribute it?

Mr. KERRY. The problem is extremely serious. It is serious in very many different ways. I believe two Congressmen today broke a story. I can't remember their names. There were 35,000 or some men, heroin addicts that were back.

The problem exists for a number of reasons, not the least of which is the emptiness. It is the only way to get through it. A lot of guys, 60, 80 percent stay stoned 24 hours a day just to get through the Vietnam——

Senator SYMINGTON. You say 60 to 80 percent.

Mr. KERRY. Sixty to 80 percent is the figure used that try something, let's say, at one point. Of that I couldn't give you a figure of habitual smokers, let's say, of pot, and I certainly couldn't begin to say how many are hard drug addicts, but I do know that the problem for the returning veteran is acute because we have, let's say, a veteran picks up a $12 habit in Saigon. He comes back to this country and the moment he steps off an airplane that same habit costs him some $90 to support. With the state of the economy, he can't get a job. He doesn't earn money. He turns criminal or just finds his normal sources and in a sense drops out.

The alienation of the war, the emptiness of back and forth, all combined adds to this. There is no real drug rehabilitation program. I know the VA hospital in New York City has 20 beds allocated for drug addicts; 168 men are on the waiting list, and I really don't know what a drug addict does on the waiting list.

And just recently the same hospital gave three wards to New York University for research purposes.

It is very, very widespread. It is a very serious problem. I think that this Congress should undertake to investigate the sources because I heard many implications of Madam Ky and others being involved in the traffic and I think there are some very serious things here at stake.

Senator SYMINGTON. In the press there was a woman reporter. I think her name was Emerson. In any case she stated she bought drugs six or nine times openly, heroin, in a 15-mile walk from Saigon. The article had a picture of a child with a parasol and a parrot. She said this child was one of the people from whom she had bought, herself, these drugs and that the cost of the heroin was from $3 to $6.

If we are over there, in effect, protecting the Thieu-Ky government, why is it that this type and character of sale of drugs to anybody, including our own servicemen, can't be controlled?

Mr. KERRY. It is not controllable in this country. Why should it be controllable in that country?

Senator SYMINGTON. It isn't quite that open in this country, do you think?

Mr. KERRY. It depends on where you are. [Applause.]

Senator SYMINGTON. We are talking about heroin, not pot, or LSD.

Mr. KERRY. I understand that, but if you walk up 116th Street in Harlem I am sure somebody can help you out pretty fast. [Laughter.]

ACCURACY OF INFORMATION THROUGH OFFICIAL MILITARY CHANNELS

Senator SYMINGTON. Mr. Kerry, from your experience in Vietnam do you think it is possible for the President or Congress to get accurate and undistorted information through official military channels.

(Shouts of ''No.'' from the audience.)

Mr. KERRY. I don't know——

Senator SYMINGTON. I am beginning to think you have some supporters here.

Mr. KERRY. I don't know where they came from, sir, maybe Vietnam.

I had direct experience with that. Senator, I had direct experience with that and I can recall often sending in the spot reports which we made after each mission and including the GDA, gunfire damage assessments, in which we would say, maybe 15 sampans sunk or whatever it was. And I often read about my own missions in the Stars and Stripes and the very mission we had been on had been doubled in figures and tripled in figures.

The intelligence missions themselves are based on very, very flimsy information. Several friends of mine were intelligence officers and I think you should have them in sometime to testify. Once in Saigon I was visiting this friend of mine and he gave me a complete rundown on how the entire intelligence system should be re-set up on all of its problems, namely, that you give a young guy a certain amount of money, he goes out, sets up his own contacts under the table, gets intelligence, comes in. It is not reliable; everybody is feeding each other double intelligence, and I think that is what comes back to this country.

I also think men in the military, sir, as do men in many other things, have a tendency to report what they want to report and see what they want to see. And this is a very serious thing because I know on several visits—Secretary Laird came to Vietnam once and they staged an entire invasion for him. When the initial force at Dang Tam, it was the 9th Infantry when it was still there—when the initial recon platoon went out and met with resistance, they changed the entire operation the night before and sent them down into the South China Seas so they would not run into resistance and the Secretary would have a chance to see how smoothly the war was going.

I know General Wheeler came over at one point and a major in Saigon escorted him around. General Wheeler went out to the field and saw 12 pacification leaders and asked about 10 of them how things were going and they all said, ''It is really going pretty badly.'' The 11th one said, ''It couldn't be better, General. We are really doing the thing here to win the war.'' And the General said, ''I am finally glad to find somebody who knows what he is talking about.'' (Laughter.)

This is the kind of problem that you have. I think that the intelligence which finally reaches the White House does have serious problems with it in that I think you know full well, I know certainly from my experience, I served as aide to an admiral in my last days in the Navy before I was discharged, and I have seen exactly what the response is up the echelon, the chain of command, and how things get distorted and people say to the man above him what is needed to be said, to keep everybody happy, and so I don't—I think the entire thing is distorted.

It is just a rambling answer.

Senator SYMINGTON. How do you think this could be changed?

Mr. KERRY. I have never really given that aspect of it all that much thought. I wish I had this intelligence officer with me. He is a very intelligent young man.

REPORTING OF VIETNAM WAR IN THE PRESS

Senator SYMINGTON. There has been considerable criticism of the war's reporting by the press and news media. What are your thoughts on that?

Mr. KERRY. On that I could definitely comment. I think the press has been extremely negligent in reporting. At one point and at the same time they have not been able to report because the Government of this country has not allowed them to. I went to Saigon to try to report. We were running missions in the Mekong Delta. We were running raids through these rivers on an operation called Sealord and we thought it was absurd.

We didn't have helicopter cover often. We seldom had jet aircraft cover. We were out of artillery range. We would go in with two quarter-inch aluminum hull boats and get shot at and never secure territory or anything except to quote Admiral Zumwalt to show the American flag and prove to the Vietcong they don't own the rivers. We found they did own them with 60 percent casualties and we thought this was absurd.

I went to Saigon and told this to a member of the news bureau there and I said, ''Look, you have got to tell the American people this story.'' The response was, ''Well, I can't write that kind of thing. I can't criticize that much because if I do I would lose my accreditation, and we have to be very careful about just how much we say and when.''

We are holding a press conference today, as a matter of fact, at the National Press Building—it might be going on at this minute—in which public information officers who are members of our group, and former Army reporters, are going to testify to direct orders of censorship in which they had to take out certain pictures, phrases they couldn't use and so on down the line and, in fact, the information they gave newsmen and directions they gave newsmen when an operation was going on when the military didn't want the press informed on what was going on they would offer them transportation to go someplace else, there is something else happened and they would fly a guy 55 miles from where the operation was. So the war has not been reported correctly.

I know from a reporter of Time—showed the massacre of 150 Cambodians, these were South Vietnamese troops that did it, but there were American advisers present and he couldn't even get other newsmen to get it out let alone his own magazine, which doesn't need to be named here. So it is a terrible problem, and I think that really it is a question of the Government allowing free ideas to be exchanged and if it is going to fight a war then fight it correctly. The only people who can prevent My Lais are the press and if there is something to hide perhaps we shouldn't be there in the first place.

Senator SYMINGTON. Thank you, Mr. Chairman.

[Applause.]

REQUEST FOR LETTERS SENT TO VIETNAM VETERANS AGAINST WAR

The CHAIRMAN. With regard to the letters you have mentioned, I wondered about them. I have received a great many letters, but usually particularly in those from Vietnam, the men would say that they would not like me to use them or use their names for fear of retaliation. Of course, I respected their request. If you have those letters, it might be interesting, if you would like to, and if the writer has no objection, to submit them for the record which would be for the information of the committee.

CHANGING MOOD OF TROOPS IN VIETNAM

Mr. KERRY. Senator, I would like to add a comment on that. You see the mood is changing over there and a search and destroy mission is a search and avoid mission, and troops don't—you know, like that revolt that took place that was mentioned in the New York Times when they refused to go in after a piece of dead machinery, because it didn't have any value. They are making their own judgments.

There is a GI movement in this country now as well as over there, and soon these people, these men, who are prescribing wars for these young men to fight are going to find out they are going to have to find some other men to fight them because we are going to change prescriptions. They are going to have to change doctors, because we are not going to fight for them. That is what they are going to realize. There is now a more militant attitude even within the military itself, among these soldiers evidenced by the advertisements recently in the New York Times in which members of the First Air Cavalry publicly signed up and said, ''We would march on the 24th if we could be there, but we can't because we are in Vietnam.'' Those men are subject obviously to some kind of discipline, but people are beginning to be willing to submit to that. And I would just say, yes, I would like to enter the letters in testimony when I can get hold of

them and I think you are going to see this will be a continuing thing.

(As of the date of publication the information referred to had not been received.)

The CHAIRMAN. If you would like to we can incorporate some of them in the record.

DOCUMENTARY ENTITLED ''THE SELLING OF THE PENTAGON''

This is inspired by your reply to the Senator from Missouri's question. Did you happen to see a documentary called, ''The Selling of the Pentagon''?

Mr. KERRY. Yes, I did. I thought it was the most powerful and persuasive and helpful documentary in recent years.

The CHAIRMAN. But you know what happened to CBS? They have been pilloried by the——

Mr. KERRY. They are doing all right.

The CHAIRMAN. You think they can defend themselves?

Mr. KERRY. I think they have; yes sir. I think the public opinion in this country, believes that, ''The Selling of the Pentagon.'' I was a public information officer before I went to Vietnam, and I know that those things were just the way they said because I conducted several of those tours on a ship, and I have seen my own men wait hours until people got away, and I have seen cooks put on special uniforms for them.

I have seen good food come out for the visitors and everything else. It really happens.

The CHAIRMAN. The Senator from New York has returned. Would he care to ask a question?

RESOLUTION CONCERNING VIETNAM VETERANS' ENCAMPMENT

Senator JAVITS. I don't want to delay either the witness or the committee. Senator Case was tied up on the floor on your resolution on the encampment and the expected occurred, of course. It has gone to the calendar.

Senator SYMINGTON. If you will yield, Senator. I have to preside at 1 o'clock. I thank you for your testimony.

Mr. KERRY. Thank you, Senator. [Applause.]

Senator JAVITS. It has gone to the calendar but I think the point has been very well made by, I think, the total number of sponsors. There were some 27 Senators.

WITNESS' CREDENTIALS

Senator Case was kind enough to express my view. I wish to associate myself with the statement Senator Symington made when I was here as to your credentials. That is what we always think about with a witness and your credentials couldn't be higher.

The moral and morale issues you have raised will have to be finally acted upon by the committee. I think it always fires us to a deeper sense of emergency and dedication when we hear from a young man like yourself in what we know to be the reflection of the attitude of so many others who have served in a way which the American people so clearly understand. It is not as effective unless you have those credentials. The kind you have.

The only other thing I would like to add is this:

EVALUATION OF TESTIMONY

I hope you will understand me and I think you will agree with me. Your testimony about what you know and what you see, how you feel and how your colleagues feel, is entitled to the highest standing and priority. When it comes to the bits and pieces of information, you know, like you heard that Madam Ky is associated with the sale of narcotics or some other guy got a good meal, I hope you will understand as Senators and evaluators of testimony we have to take that in the context of many other things, but I couldn't think of anybody whose testimony I would rather have and act on from the point of view of what this is doing to our young men we are sending over there, how they feel about it, what the impact is on the conscience of a country, what the impact is on even the future of the military services from the point of view of the men who served, than your own.

Thank you very much.

Mr. KERRY. Thank you, Senator. [Applause.]

The CHAIRMAN. Mr. Kerry, I am sure you can sense the committee members appreciate very much your coming. Do you have anything further to say before we recess?

EXPRESSION OF APPRECIATION

Mr. KERRY. No, sir; I would just like to say on behalf of the Vietnam Veterans Against the War that we do appreciate the efforts made by the Senators to put that resolution on the floor, to help us, help us in their offices in the event we were arrested and particularly for the chance to express the thoughts that I have put forward today. I appreciate it.

The CHAIRMAN. You have certainly done a remarkable job of it. I can't imagine their having selected a better representative or spokesman.

Thank you very much. [Applause.]

(Whereupon, at 1 p.m. the committee was adjourned subject to the call of the Chair.)

IN RECOGNITION OF NATIONAL PRIMARY IMMUNE DEFICIENCY DISEASES AWARENESS WEEK

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2004

Ms. BALDWIN. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the week of April 19th as National Primary Immune Deficiency Diseases Awareness Week. Primary immune deficiency diseases (PIDD) are genetic disorders in which part of the body's immune system is missing or does not function properly. The World Health Organization recognizes more than 150 primary immune diseases which affect as many as 50,000 people in the united States. Fortunately, 70 percent of PIDD patients are able to maintain their health through regular infusions of a plasma product know as intravenous immunoglobulin. IGIV helps bolster the immune system and provides critical protection against infection and disease.

I am familiar with primary immune deficiencies because of a constituent of mine who has a primary immune deficiency disease called selective antipolysaccharide antibody deficiency syndrome. Linda Keegan, like so many primary immune deficiency patients was not diagnosed until adulthood. Linda spent a great part of her life winding her way through the health-care system, suffering from recurrent sinus and ear infections, sinus surgery, and the mid-life onset of asthma. She felt that virtually nobody with a medical degree of any sort was willing to understand or believe that she was unable to resist infections in the same way that most people do. She spent her life being sick and on antibiotics. Finally, one morning in an urgent care unit, a physician's assistant listened to her medical history, and said ''there might be something wrong with your immune system.'' Linda took it upon herself to research the immune system on the Internet, and eventually met an immunologist who diagnosed her correctly, in her mid-40's.

Linda is eligible for IGIV therapy, but so far a daily dose of two antibiotics is preventing sinus and ear infections, and her asthma symptoms have become sporadic, rather than chronic. She knows that someday she might have to depend on IGIV, but for now she is trying to make good lifestyle choices and keep a positive attitude. One way Linda has done this is by becoming a volunteer peer contact for the Immune Deficiency Foundation. In my home State of Wisconsin, Linda provides information and support to other PIDD patients or parents who have children with PIDD.

Linda is not unique with the delay in diagnosis of her primary immune deficiency disease. Despite the recent progress in PIDD research, the average length of time between the onset of symptoms in a patient and a definitive diagnosis of PIDD is 9.2 years. In the interim, those afflicted may suffer repeated and serious infections and possibly irreversible damage to internal organs. That is why it is critical that we raise awareness about these illnesses within the general public and the health care community.

Mr. Speaker, I commend the Immune Deficiency Foundation for its leadership in this area and I am proud to join them in recognizing the week of April 19th as National Primary Immune Deficiency Diseases Awareness Week. I encourage my colleagues to work with us to help improve the quality of life for PIDD patients and their families.

IN RECOGNITION OF MIKE HEALY ON HIS SERVICE TO THE BAY AREA RAPID TRANSIT DISTRICT

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2004

Mrs. TAUSCHER. Mr. Speaker, on behalf of the members of the San Francisco Bay Area Congressional Delegation, including Representatives STARK, PELOSI, MILLER, LEE, LANTOS, LOFGREN, HONDA, ESHOO, POMBO, WOOLSEY and THOMPSON, I rise to pay tribute to Mike Healy, Department Manager of Media and Public Affairs for the Bay Area Rapid Transit (BART) District. For his steadfast commitment and dedication as the face and voice of BART, even before the system carried a single passenger, we would like to thank Mike Healy and wish him well in his retirement. His thirty-two years of energetic leadership at BART have helped shape one of the largest and most vital mass transit systems in the United States for the better, for all of those who call the San Francisco Bay Area home.

Born in South Bend, Indiana, Mike Healy was raised in Los Angeles and graduated from the University of Southern California with a Bachelor's Degree in Journalism and Telecommunications. Though initially more interested in writing screenplays for movie studios during his early career, it was transportation that was destined to attract and retain his attention.

When BART first hired Mike Healy, he was told his tenure there would most likely end before six months had passed. Instead, Mike Healy has worked for six different general