

It can hardly be denied that, for some years, our system of government has been challenged—until recently, quite covertly—by the advancement, and in some cases the adoption, of political and social philosophies that are foreign to its concepts and which have, in important particulars, succeeded in changing its complexion.

Doubtless you, just as I, were taught as toddlers around parental knees, and ever since, that our Constitution was an inspired document, whose concepts were next to Holy Writ, and, until amended by the people in the manner it prescribes, imposes upon us a sacred obligation of complete and honest obedience to its terms.

With all this in our background it surely is not amiss to note, as R. G. LeTourneau reminded us in March of 1963, that the average age of the world's great governments has been 200 years; that those governments progressed through this sequence: (1) from bondage to spiritual faith, (2) from spiritual faith to great courage, (3) from courage to liberty, (4) from liberty to abundance, (5) from abundance to complacency, (6) from complacency to apathy, (7) from apathy to dependence, and (8) from dependence back again to bondage. He also reminded us that Gibbon, in his "Decline and Fall of the Roman Empire," isolated five basic reasons why that great civilization died out. These were (a) "the undermining of the dignity and sanctity of the home—the basis of all human society, (b) higher and higher taxes to fund the spending of public money for free bread and circuses for the people, (c) the mad craze for pleasure, (d) the building of great armaments for the defeat of an external enemy when the real enemy was within—the decay of individual morality and responsibility, and (e) the decay of religion; faith fading into mere form, losing touch with life and its power to guide the people"—which, some thoughtful persons believed, resulted, at least partially, from what they saw as the departure by some of its ministers of its creeds and pulpits for the highly divisive forum of the political platform.

Whether we are experiencing or threatened with parallels are matters upon which your analyses and conclusions will be as good as mine, and those matters I leave to you. But whether we have kept faith with the Constitution, and have heeded the warnings of George Washington and others of our Founding Fathers to be vigilant in protecting our fundamental law against the pressures of erosion and usurpation, are matters I will speak upon briefly.

I believe we ought to be able to agree that words—though not ends in themselves—are our only tools and means of communicating thoughts and ideas. Hence, plain and unambiguous words surely should be taken and adhered to in their commonly accepted sense, for otherwise the result must necessarily be the loss of all means of communicating with certainty; and all documents, however carefully prepared, would result in mere scraps of paper. This, carried to an illustrative extreme, would even make it dangerous for a borrower or a lender to sign or accept a simple promissory note.

Despite this simple grammatical fact, and notwithstanding plain words of the Constitution (when, indeed, they are plain, clear and unambiguous—as, unfortunately, is not always the case) and the warnings of Washington and others, it cannot be, and indeed is not, any longer denied that there has been, particularly in the last three decades, a different kind of fidelity—if fidelity it has been—to the meaning of the plain words in the Constitution by some than by others of us.

Throughout the period just mentioned, it was thought, charged and protested by many, who may be identified as "strict constructionists," that our Constitution was be-

ing gradually, but steadily and continuously expanded and changed by the definitional and interpretative processes in both the legislative and judicial departments of the National Government in usurpation of the right of the people only to amend the Constitution and then only in the manner specified in its 5th article, and in derogation of the 10th amendment which provides that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Until rather recently, those who supported what they called a policy of liberal construction vigorously denied that the Constitution was being changed or, in effect, amended in those ways; but since recently the cumulative effect of those definitional and interpretative actions has become so evident, in composite, as to be clear beyond rational dispute, it is now rather freely conceded, even by the liberal constructionists, that a number of very substantial and far-reaching changes in the meaning of the Constitution have evolved from those processes. And so today hardly anyone, familiar with the subject, denies that the meaning of our Constitution has actually been changed, and in effect amended, in substantial particulars by the definitional and interpretative processes and is no longer a document of the meanings adopted by our forefathers, as from time to time amended by the people in the manner it provides.

But, while making these admissions of the obvious, the liberal constructionists are not apologetic. Instead they seek to defend and to justify. They argue that such changes of the Constitution were both necessary and good for our Nation—in other words, that the ends attained have justified the means employed. They say that the Constitution was framed and adopted when our society was new and its economy was simple—the horse and buggy days—and that, if it was adequately to serve the needs of a growing economy, it could not be held in a straitjacket but had to be kept abreast of the times, and that this could timely and efficiently be done only by treating the instrument as a living document of sufficient elasticity to permit its constructional expansion to cover the ever-changing needs, as they have viewed them, of a rapidly expanding population an ever more complex economy. They, of course, make no mention of the obvious fact that these changes were not brought into existence by amendments of the Constitution by the people in the manner it designated.

I have been asked, many times, how these changes in the Constitution were brought about. Just how were they brought about? The answer is not a mystery. In retrospect, it is quite clear that they were in large part, at least, brought about by a legislative definitional process, aided and supported by a judicial process of interpretation—not strictly of the provisions of the Constitution, but rather of legislative definitions of constitutional concepts.

And I believe that—without reference to any recent Federal legislative or judicial actions, definitions or interpretations, which, because they might be thought to be involved in current political debates, I naturally wish to avoid—a simple concrete example from the relatively distant past will suffice to demonstrate how that process has operated to change in meaning, and, in effect, to amend, the Constitution.

By article I, section 8, clause 3, of the Constitution, commonly known as the commerce clause, the States and the people granted power to the Congress "to regulate commerce with foreign nations, and among the several States, and with the Indian Tribes."

For no less than a century and a quarter, the phrase "commerce * * * among the several States," as used in the Constitution, was

uniformly believed by the people and held by the courts to embrace only that which had actually been introduced into the stream, and was in the flow, of commerce between the States. Thus, in seeming accord with the accepted meaning of its plain words, the phrase "commerce * * * among the States," was expressly and repeatedly held not to embrace those multitudinous local activities that are involved in producing the products of the field or factory—that production and manufacture were not commerce even though the products, or some of them, might eventually move, or indeed, might earlier have moved, in commerce among the States, and were, therefore, not activities subject to the regulatory power of Congress.

But in the latter portion of that period, the legislative department advanced, and the judicial department sustained (without any loud public protest—and most constitutional lawyers still think correctly), the concept that whatever really and substantially burdens or affects commerce among the States falls within the powers "to regulate commerce among the States" and hence is within the power of Congress to regulate under the commerce clause; however the principle that local production and manufacture is not commerce was repeatedly reannounced and stoutly maintained.

During the teens, some Federal officials and liberal constructionists, evidently chafing under the strict constitutional limitations upon Federal powers over State and local activities and seeking an expeditious way to vest in the Central Government an effective control over those activities, advanced not a constitutional amendment but the interpretative concept that the constitutional phrase empowering Congress "to regulate commerce * * * among the several States" ought to be held to include the power to control whatever is involved in the production of goods in the fields and factories.

The fallacies and dangers of that emerging philosophy of construction were promptly demonstrated by many startled persons, including President Wilson who protested in these ringing terms:

"May it—Congress—also regulate the conditions under which the merchandise is produced which is presently to become the subject matter of interstate commerce? May it regulate the conditions of labor in field and factory?"

"Clearly not, I should say; and I should think that any thoughtful lawyer who felt himself at liberty to be frank would agree with me. For that would be to destroy all lines of division between the field of State legislation and the field of Federal legislation."

"If the Federal power does not end with the regulation of the actual movement of trade, it ends nowhere, and the line between State and Federal jurisdiction is obliterated."

Despite the clear and overpowering logic of that protest, and the many similar ones, that emerging new philosophy of construction was not thereby ended but rather was only temporarily driven underground.

That philosophy was again openly renewed under stress of the great depression of the 1930's. The Chief Executive, in the evident belief that Federal power to control the conditions of production in the fields and factories was necessary to revive the nation's depressed economy, sought not an accommodating constitutional amendment, but instead prevailed upon Congress to enact the Wagner Act which, by resting upon Congress' commerce powers, sought to control conditions of labor used in producing goods in fields and factories on the ground that such labor so affected commerce as to be a part of it.

In that act, the term "commerce" was conventionally defined, but the reach of the act was attempted legislatively to be extended to activities "affecting commerce,"

which phrase, in turn, was there expansively defined to include those activities which "tended to lead to a labor dispute," and which, Congress said, might in some way burden or obstruct the free flow of commerce among the States.

The constitutionality of that act was assailed in the Supreme Court in the Jones and Laughlin case in the 1936 term. Under the depressed conditions of the times and pressures of the then current "court-packing" attempts, the Supreme Court held the act to be constitutional. It turned its decision not on any interpretation of the words of the Constitution by which Congress had been empowered "to regulate commerce * * * among the States," but rather upon the congressionally created concept of "affecting commerce," and upon Congress' expansive definition of that phrase in the terms stated. It held, in essence, that those recurring local activities which bear a close relationship to interstate commerce may, in some way, affect commerce—which it felt the activities involved in that case did, as nearly any imaginable transaction or occurrence would—and, in consequence, it upheld the act as within the reach of congressional power.

The opinion was written by the most able and universally honored Chief Justice Hughes; and although it represented a demonstrably precipitous change from the views he had numerous times, and only recently before, expressed on the subject, he was rather widely applauded at the time for that decision upon the ground that it may have saved the Court from further Executive attack and attempts to pack it—sometimes referred to as the "stitch in time that saved nine."

However that may be, it can hardly be denied that the decision did not turn upon an interpretation of the words of the Constitution empowering Congress "to regulate commerce * * * among the States," nor upon any other words in the Constitution itself. Rather the decision turned upon an interpretation of Congress' expansive phrase "affecting commerce" and of its definition of that phrase.

It is also clear, and worthy of minute notice, that the Court's crucial phrase—"a close relationship" to interstate commerce—embraced a relative conception of uncertain degree, requiring ad hoc determinations in each case, which necessarily must be as variable as the notions of men, including judges, as to whether a particular activity does or does not bear a sufficiently close relationship to interstate commerce to meet that announced vague conception; and thus, in practical effect—at least in borderline cases—the vital and momentous question of Federal power over local activities was left to a vague rule of men rather than to a definite rule of law.

Even if the last stated conclusion can be doubted, there can be no room to doubt that the opinion in the Jones and Laughlin case was a sharp break with what had been regarded as fundamental in the past, and it opened the gates to such a vast expansion of Federal power over local activities as left the States, just as Woodrow Wilson warned it would, without any line between State and Federal jurisdiction. And, in the light of the supremacy clause of the Federal Constitution, the Federal Government was thus given, in practical effect, power to control all local activities which, in its view, bear a close relationship to interstate commerce, and it seems that nearly every transaction, however local in itself, may be said to do so.

If the latter statement seems extreme, let it be remembered that this doctrine has been applied to sustain a Federal statute imposing criminal penalties upon a farmer for growing wheat on his own farm to be fed on the same farm to his own livestock. It would be

a little difficult to imagine an activity more local than that.

These are the ways and means by which the meaning of the Constitution has been changed—specifically, these are the ways and means by which the repository of general governmental powers was changed from the people and their respective States to the Federal Government.

Whether these and like changes in the Constitution were, as the liberal constructionists claim, both necessary and good for the Nation may well be very seriously doubted, but even if, in any view, it can honestly be said that those changes were necessary and good for the Nation, it is obvious that they were not made by the people—they were not made by any amendment of the Constitution by the people themselves, or in the amending manner specified in the fifth article of the Constitution. Rather, it appears that they were made by what George Washington called usurpation which, he said, "is the customary weapon by which free governments are destroyed."

Although our forefathers had learned from experience and had warned us, we have had painfully to learn for ourselves, that true liberty cannot be preserved alone by words or declarations, but, rather, as the late and lamented judge, Learned Hand, in the reflective wisdom of experience and full maturity, some years ago reminded us: "Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can save it; no constitution, no law, no court can do much to help it."

Surely love for our Constitution and for the liberties its plan and words attempt to secure to us is not dead in the hearts of a large majority of the American people. Though it may seem to be dormant in the hearts of some of us, it is in our blood and, by patriotic arousal and determined effort, it can be revived.

Surely we must make that effort with resolution, and with faith in the fact that kites rise highest against the wind. What a shame it would be to fail, but how much more the shame to fail even earnestly to try.

The strength, or weakness, of America lies not in its farms and forests, its factories and fortresses, nor in the glorious achievements of its past generations, but it lies in the patriotic character, strength, determination, and faith of its present people who now control, and must be responsible for, its destiny.

I close in the eloquent words of a great American patriot, the late Gen. Douglas MacArthur:

"Let us hope that this Nation will continue to be a rallying point to build courage when courage seems to fail, to restore faith when there seems to be little cause for faith, to create hope when hope becomes forlorn. May we sustain our two mighty symbols—the cross and the flag. The one based on those immortal teachings which provide the spiritual strength to preserve the cause of right and justice; the other based on an indomitable will that human freedom shall not perish from the earth."

THE WAR IN SOUTH VIETNAM

Mr. MORSE. Mr. President, during the previous session of Congress a great and wonderful colleague of mine, the Senator from Alaska [Mr. GRUENING], and I discussed on the floor of the Senate time and time again the United States outlawry in South Vietnam.

Time and time again we pointed out that the United States was acting in South Vietnam completely outside the framework of international law. We

pointed out that the State Department had been unable to submit a single tenet of international law to justify unilateral American military action in South Vietnam.

Up until the moment I now speak, the State Department has yet to produce a single tenet of international law to justify our unjustifiable and illegal course of action in South Vietnam.

Since the previous session of Congress, the Senator from Alaska [Mr. GRUENING] and I have not remained silent on this subject. I am not so sure that we were not the only two Democrats who in the recent campaign discussed the subject matter openly and frequently in the campaign. I was given speaking assignments in 14 States during that campaign and was very proud to be of service to my great President and Vice President. But many times in those meetings the issue of South Vietnam was raised, and I did not duck the issue. Although it was perfectly obvious that during that campaign little was said by the candidates on either ticket about the subject matter of South Vietnam.

The only time the President of the United States discussed it was in the speech he delivered in the East, where he discussed it briefly. I shall shortly introduce his remarks in the RECORD. But, Mr. President, I intend to continue to discuss it, because in my judgment it is the major, No. 1 issue which confronts this country at this hour.

(At this point Mr. KENNEDY of New York took the chair as Presiding Officer.)

Mr. MORSE. Mr. President, unless there is a successful solution to the crisis in South Vietnam, I am satisfied that the unilateral military action of the United States in South Vietnam will be the primary cause of leading Asia into a massive war. We would be whistling in the graveyard, or engaging in empty-headed, wishful thinking, if we thought that a massive war in Asia would stop there. I am satisfied that it would lead to a nuclear war, out of which there would come no victor. This I have stated many times.

This administration continues to argue that we shall lose prestige if we change our course of action in Asia.

I point out to the President of the United States that we have no prestige left in Asia because of our shocking course of action in South Vietnam.

What do prestige and face have to do with the United States doing what is right? Nothing. If our course of action in South Vietnam is wrong—and I am satisfied that it is completely wrong—the sooner we right it by taking the right course, the better for the future of this country.

Are we not going to learn from history? There were those in France who argued for years that France could not and should not get out of Indochina because she would lose face. After 240,000 casualties, the French people gave the French Government its answer, and it made very clear to that French Government that it had better change its course of action in Indochina. As all Senators know, it did.

There was worked out the Geneva accord of 1954, which the United States did not sign, and which John Foster Dulles persuaded the first American puppet in South Vietnam—President Diem—not to sign.

They divided Indochina into four parts; namely, Laos, North Vietnam, Cambodia, and South Vietnam.

Today, France is hailed around the world for her international statesmanship in following the course of action she took.

There were those in France who said that France would lose face and prestige if she changed her course of action in Algeria. In that instance, the leaders of the French Government came to recognize before it was too late that France was wrong in Algeria. De Gaulle, to his everlasting credit, righted France's wrong course and proceeded to change the French course of action in Algeria.

Since when has the United States reached such a hypocritical position that it is going to run away from the right and continue doing wrong?

The face savers are dead wrong in their arguments about American policies in South Vietnam, on the ground that we cannot change our course of action because we would lose face.

The sad and ugly reality, Mr. President, is that the face savers in South Vietnam are in fact warmongers. They are the ones who wish to rationalize and alibi the unjustifiable killing of more and more American boys.

Mr. President, I am for substituting each and every one of them for drafted boys in South Vietnam who fight in the jungles of Vietnam for a cause that is unwarranted because it is outside the framework of international law. It is one thing for us to sit in the comfort and security of the Chambers of the Senate and the House of Representatives and wave that flag into tatters. That action is nothing but paying disrespect to that flag while American boys are being killed in the jungles of South Vietnam. The duty of our Government is to get back within the framework of international law, to seek an honorable and negotiated settlement of that war over there, preserve the peace, and stop threatening the danger of leading us into a massive war in all of Asia.

As I said to the Secretary of State yesterday, and I repeat today, a continuation of the State Department policy in South Vietnam is certain to lead to a massive war in Asia; and that massive war in Asia will be a nuclear war. Neither the United States nor any other country would be a victor in such a war.

Mr. President, I plead and pray that the leadership of my Government will no longer seek to alibi and rationalize an illegal course of American action in South Vietnam. I plead and pray that the leaders of my Government will seek to apply the existing framework of international law and its procedures to the war in South Vietnam.

As I said to the Secretary of State yesterday, when a question was raised as to what I would have the United Nations do, my answer is, "Take jurisdiction."

What a question to ask the senior Senator from Oregon. What would I have the United Nations do? Take jurisdiction under the provisions of the charter to which the signature of the United States is attached.

The sad fact is that the United States has run out on the United Nations. The sad fact is that the United States, more than any other nation in the world—and, sad to say but true, more than Russia—is undermining the United Nations by its course of action in South Vietnam.

As I pointed out in my Syracuse University lecture, which I shall shortly ask to have printed in the RECORD, article after article of the United Nations Charter calls for the submission to the United Nations for jurisdiction of allegations concerning violation of international treaties. It calls for some other things, and offers two alternatives. But I stress this point first, because I wish to warn the present administration that if it follows its present course of action in South Vietnam, in my judgment, it will go out of office the most discredited administration in all the history of this Republic, because across this land, at the grassroots of America, increasing tens of thousands of American people are asking the question, "Why unilateral U.S. military action in South Vietnam?"

At long last there is hope now that we shall have a debate in the Senate on South Vietnam. All of last year the senior Senator from Alaska [Mr. GRUENING] and the senior Senator from Oregon did their best to get a debate in the Senate on South Vietnam, and we were met with silence on the floor of the Senate, but pats on the back in the cloakroom.

Mr. President, the American people are entitled to a debate on the floor of the Senate. The American people are also entitled to the lifting of the rules of secrecy by the State Department and the Pentagon in regard to the war in South Vietnam, for American boys are dying. The parents of those boys—the boys fighting over there—and every citizen in this country are entitled to have the truth about what is going on in Asia; and I charge on the floor of the Senate today that the administration is not giving the American people the truth about what is going on in Asia. Read some of the remarkable accounts and responses of the Pentagon and the State Department. Newspaper correspondents report allegations concerning violations of the borders of North Vietnam, violations of international law in Tonkin Bay, and violations of international law in Laos. What is the response of the State Department and the Pentagon to these reports?

"No comment."

I trust that our Nation is not yet a police state. But those are police state tactics, Mr. President. As I said a few moments ago, in discussing a bill I introduced in the Senate, in a democracy there is no substitute for a full public disclosure of the public's business. The war in South Vietnam does not belong to the President of the United States. It does not belong to Dean Rusk, the Secretary of State. It does not belong to

McNamara in the Pentagon, or to Adlai Stevenson in the United Nations, or to Maxwell Taylor in South Vietnam. It happens to be the problem of the American people. They are entitled to have the facts and all the facts in regard to it.

Mr. President, as a member of the Committee on Foreign Relations, I state to the American people today one of my great concerns. I have not been here for 20 years without gaining a pretty good intuition as to what is going on. But I am satisfied that we have Government officials who are more interested in concealment than in telling the American people the facts. I am satisfied that plans are underway for an escalation of activities in Asia that are bound to lead to a major war in Asia. While I might disagree with our Secretary of State on many things, I have a great admiration and respect for him. As I told him yesterday, it saddens me to find myself so completely against him on such a subject as South Vietnam. On most issues of foreign policy I find myself in complete agreement with him. I am satisfied that our great Secretary of State is concerned about where the South Vietnam war may lead. But the time has come for the American people to give the present administration its direction, for foreign policy does not belong to this administration. The old bromide that we hear repeated so often in the Senate and elsewhere in our country that foreign policy belongs to the President of the United States is, of course, complete nonsense, for the President is only an administrator of the people's foreign policy.

The American people will have to give direction to this administration in respect to the war in South Vietnam. I say to them today that I am satisfied that although they are a small minority, there is a group of officials in our country, in and out of uniform, who apparently think that we must prepare the way for a bombing of nuclear installations in Red China.

How anyone could possibly think that such a course of action on the part of the United States could produce peace is beyond my imagination. The danger of provoking a major war in Asia on the part of the United States is so great that, in my judgment, the American people should demand, without further delay, that this question be taken to the conference table.

I say again that the senior Senator from Oregon has never favored our simply pulling out of Vietnam. The senior Senator from Oregon has taken the position that if the only course open to us is to remain on a unilateral basis, we cannot justify staying there under international law. What I have urged, in speech after speech and article after article, is that we should make use of existing international agencies for the settlement of this dispute, if possible, by way of negotiated settlement, short of war. So I have urged, time and time again, and repeat this afternoon, that we ought to try to use SEATO; but the fact is that a majority of the SEATO nations want no part of it.

A foreign minister of Pakistan said some months ago, in Washington, that Pakistan had no intention of coming to the assistance of the United States in South Vietnam. I have called the roll of the SEATO nations in speech after speech, and I call it again this afternoon, with the question on my lips: Where are you in South Vietnam? Australia, New Zealand, Pakistan, Thailand, the Philippines, France, and Great Britain are not there. It is quickly said that some of them are there in token; but it is a pretty small token. The Australians have probably some 60 or 70 advisory troops there. There is some delivery of materiel, mostly out of Australia—and at a good dollar profit—in a few cargo planes belonging to Australia. But there is no active participation by Australia in the war in South Vietnam.

If any countries have a large stake in South Vietnam, if our claims are true, they are Australia and her sister state, New Zealand. In the lecture that I shall introduce into the Record shortly, I quote the Australian press—a conservative press. The Australian press is greatly concerned about U.S. plans for escalating the war in South Vietnam. The Australian press is saying some of the very things I am saying as to the danger of a massive war in Asia leading to nuclear war. The "domino" theory cannot be sold to Australia; they will not buy it. It cannot be sold to New Zealand. It is interesting to observe that there is no great concern so far as Thailand and the Philippines are concerned. We do not find their troops dying in South Vietnam. Aside from the Vietnamese, the only ones who are dying are American boys. We cannot justify that.

Let me say something about the question of SEATO. We do not hear the lack of SEATO action discussed very much. Although the SEATO nations have pledged themselves under the protocol agreement in the SEATO treaty to consider South Vietnam an area of vital concern and interest, they have also a procedural rule of unanimity. It is not possible to get any action by SEATO on a majority vote basis. The only way to get any help from SEATO is to have an individual SEATO nation, on the basis of its own sovereignty, but not as a member of the SEATO treaty, come into South Vietnam voluntarily. I should like us to try to change that. I should like us to try to see if we could have SEATO—and I have said this for many months—undertake a peacekeeping action and try to bring about a ceasefire, setting up a SEATO control for a period, until stability and order can be restored in South Vietnam.

I am afraid it is true, as has been pointed out to me by so many persons, that we cannot get sufficient support in depth from SEATO nations to accomplish that purpose. We may get some token support from a few, but that will be all. I shall have something to say about token support momentarily.

I turn now to the possibility of reconvening the 14-nation conference. The fact that that was first proposed by President De Gaulle, of France, is no reason

for not approving of it, but, rather, is a reason for giving him credit for seeking to work out a peaceful solution to the war in South Vietnam.

The White House and the State Department ought to be urging the reconvening of the 14-nation conference, to the end of seeing what can be worked out, if anything, to bring about a ceasefire in South Vietnam and an administration of that country by a joint commission, with a view to stopping the killing in South Vietnam.

It may be said that if that course of action is followed, Communist nations will be participating in any such joint commission. Of course they will. We Americans cannot wish Communist nations out of existence. They are an ugly reality on the face of the earth. But we shall not defeat communism by following the course of action that we are following in South Vietnam. To the contrary, in my judgment, we are making more Communists around the world by the unilateral action of the United States in South Vietnam than we have any reasonable hope of defeating in South Vietnam. The use of the jungle law of military force by the United States will make more Communists around the world, not reduce their number.

It may be said that if Communists are placed in any representative positions, the danger always is that they will produce conflict; that they will try to take over; and that the action eventually will end in chaos. Here again, we shall never know until we try. I believe the time has come for us to try, at least, to be law abiding and to keep our commitments under the United Nations Charter.

But it is said that the United States is in South Vietnam because the Geneva accords of 1954 are being violated. They certainly are. They are being violated by Red China; by North Vietnam; by the Pathet Laos; probably, on some occasions, by Cambodia; but also by the United States and South Vietnam. The record is undeniable. We cannot justify refusing to go to the United Nations on the basis of the argument that we are in South Vietnam only to enforce the Geneva accords of 1954. The United States did not even sign them. We convinced our puppet, Mr. Diem, that he should not sign them. Neither the United States nor South Vietnam ever signed the Geneva accords. But my argument would be the same if we had. The fact that the Geneva accords are being violated by Red China, North Vietnam, and other nations does not justify the United States taking the law into its own hands, so to speak, and setting itself up as the policeman of the world to enforce the Geneva accords of 1954.

That is the responsibility under the international law, of the United Nations, or of a regional organization that is qualified to function under the authorization of the United Nations. No, Mr. President, we cannot justify our illegalities in South Vietnam, our unjustifiable killing of American boys, or our participation in the killing of thousands of Vietnamese on both sides in that great war on that great hypocritical pretense that

we are there only because others are violating the Geneva accords of 1954. The time has come for us to seek peaceful procedures to stop violations by all parties, including ourselves.

Mr. President, the American action in southeast Asia has been the action characteristic of a provocateur. We have provoked incident after incident in South Vietnam. There is no question that the borders of North Vietnam have been violated with our knowledge. There is no question that we are supplying materiel for those violations. We cannot even get a categorical denial from this administration that our own so-called military advisers have participated in some of those transgressions.

Mr. President, as I said last year, we were a provocateur in the Tonkin Bay. We knew in advance of the bombing of the North Vietnam islands that was going to take place by the South Vietnam ships that we furnished, that we armed, by the personnel that we trained. We kept our own destroyers in the proximity of the bombing, in constant radio communication with our headquarters in Saigon. We stated that we had a right to do what we did. We had a right to be where we were. I have never denied that. We were on the high seas. And we had a right to defend our ships from attack. But, after we defended those ships, we had no right to commit an act of aggression against the mainland of North Vietnam.

That was an act of war on the part of the United States. As I said in the Senate at the time, and repeat today, what we should have done at that time, once our ships were defended, was to take the charge of the violation of international law by North Vietnam to the United Nations immediately, and lay our charges before the United Nations. We should have found out if that body has become nothing but a chatterbox, or is a great fortress, enforcing the peace of the world.

I want to find out whether the United Nations has become naught but a great debating society, or is an organized body of nations pledged to enforce the peace.

Mr. President, we have not taken our case to the United Nations. What are we afraid of? I think the American people are entitled to have an answer to that question. The only way to get an answer will be to have this administration, under this great President, lay the South Vietnam crisis before the United Nations and find out how much multilateral support we can get. As I say in the Syracuse lecture, I have asked for nothing more than what Franklin Delano Roosevelt asked for 20 years ago at Teheran when he proposed at the Teheran Conference that all of Indochina be placed under an international trusteeship. He was blocked by Winston Churchill. As I point out in the lecture, Franklin Delano Roosevelt, knew that the British would not favor it because of the British colonial policy in southeast Asia. France has already learned. The Dutch have learned. The British are learning, and the Americans ought to learn that white-man colonialism in

Asia is as dead as a dodo. We are not going to save it by killing American boys.

What the United States has to face up to is the reality that Asians are going to control Asia.

One further word about the fallacious Dulles theory about the dominoes, that all of Asia will go down if one of the countries goes down. What nonsense that is. Tell it to Burma. Tell it to Cambodia. Tell it to Australia. Tell it to New Zealand.

Even the Prime Minister of India in the press today came out against American military action in South Vietnam.

The best way for the United States to lose its sphere of influence in Asia is to stay in South Vietnam on a unilateral basis.

I shall support our staying in, and have always tried to make it clear that I shall support our staying in on a multilateral peacekeeping basis, but not on a warmaking basis. In the Senate, I shall enthusiastically support funds for military assistance to a peacekeeping corps, to supply our fair share of men for a peacekeeping corps, acting under the jurisdiction of any one of the three agencies that I have mentioned, SEATO, a reconvened 14-nation conference, or the United Nations.

But if the ultimate choice is given us of staying there on a unilateral basis, with no jurisdiction being exercised under existing international law procedures by any one of these three groups I have mentioned, or getting out, then I am for getting out. But not until then. I do not think we will ever have to get out, because I think we will be surprised by the enthusiastic response that a relieved world will give to the kind of international statesmanship I am calling upon my Government to exercise in respect to South Vietnam. I think it will be hailed around the world.

Of course, we shall have great difficulties with that kind of operation, but we are going to have even more difficulty with warmaking policies we are following that bring us to the brink of war.

Note, I am not talking about token support. I am talking about good faith, full support, on an international law basis, with the membership, preferably, of the United Nations, in which a peacekeeping corps, with whatever numbers and at whatever financial cost may be necessary will carry out the principle which Franklin Roosevelt proposed 20 years ago for this area. That was for an international jurisdiction—call it trusteeship or whatever one wants to call it, but international jurisdiction—based on a ceasefire order, that would bring about stability and freedom in South Vietnam.

That statement causes me to comment that all this talk about freedom has no bearing upon reality in South Vietnam, for there is no freedom in South Vietnam, and there has never been any freedom in South Vietnam since the United States took over. There has been no freedom in South Vietnam since the first American puppet, Diem, became the first dictator of South Vietnam, followed by General Minh, followed by Khanh, and

now followed by complete chaos. Freedom? South Vietnam is ruled by military tyrants acting under military dictatorships carrying out American orders.

No; we are not going to help the cause of reality, or the cause of stability, or of freedom, in South Vietnam that way. The Secretary of State and the Secretary of Defense have said that North Vietnam and Red China and others should leave South Vietnam alone. If we would go over there, we would find in countries in that area that the sentiment is for the United States to let South Vietnam alone. The truth is that the war there is a civil war. It is not a war between two nations. It is a war civil in nature. It is true that North Vietnam is receiving assistance, but it is true also that South Vietnam is getting aid from the United States, in the amount of over \$1.5 million a day now; and since the war began in 1946, \$6 billion of the taxpayers' money have been poured into South Vietnam, not covering the cost of keeping American forces there. Much of that, I want to say, and I say it sadly, has resulted in great waste and has produced great corruption in South Vietnam.

Mr. President, we are not going to end this civil war by any of the courses of action being recommended by the White House, the State Department, and the Pentagon Building. We cannot win this war by the policies we are following. We can win military victories. We can bomb and kill by the thousands. We can destroy the cities of Red China and Vietnam. We can destroy the nuclear installations of Red China. But we will lose the war, for, do not forget, we are dealing with a people and a philosophy of a people to whom time does not matter. And after we win all these military victories, what are we going to do with South Vietnam and North Vietnam and Laos and Red China and the rest of the nations that will be involved, assuming for the moment that we might get into a nuclear war? We would have to police them for decades. We have neither the manpower nor the resources to rebuild that part of Asia after that type of war. We will inherit as a legacy for generations of Americans yet to come the undying hatred of the yellow man. He will hate us for hundreds of years. It will be an unending war. Let us think not in terms of the present time, but let us think in terms of the next 100 years. We have the responsibility in our time to lay out courses of action that will not produce the type of holocaust that will bring about for millions of American boys and girls the hatred of many people of the world that will be incurred if we continue to pursue our course of action in South Vietnam.

TOKEN ASSISTANCE

I said I would make a brief comment on token assistance. I am very disturbed about some of the activity on the part of the State Department, through the American embassies in Latin America, urging the heads of Latin American countries and high officials in those States to at least send something to South Vietnam—an ambulance or a medical corps or some contingency of

assistance—so that it can be said by American officialdom that "We have the following nations in." The American people are not going to be fooled by that kind of hypocrisy, either. The American people are not going to be fooled by token assistance. I happen to know that there is already resentment on the part of some of those people—I speak as chairman of the Subcommittee on Latin American Affairs—with this approach. We are told it is going to be used by Communists and non-Communists as pointing up that, because we provide so much foreign aid to Latin America, we are using it as a means of pressure to obtain token support in Latin America for our policy in Asia.

It should be repudiated. The State Department should desist from any such course of action.

Let us find out where the Latin Americans stand in the United Nations. Let us find out where the Latin American countries stand with respect to the proposal for the reconvening of a 14-nation conference on the war in South Vietnam. Let us find out where the Latin Americans stand on SEATO as offering a jurisdictional basis. Let them pledge their support, if pledge their support they will, to an international organization; but not to the United States, which is conducting this unjustified unilateral military action in South Vietnam.

Such a course of action, of seeking to get token support from nations into whose coffers we are pouring millions of dollars in military and economic aid is a great mistake, and it ought to be stopped immediately.

From time to time I shall discuss the unjustifiable course of action of my country in South Vietnam. Let me say, as I have said before, if a declaration of war is recommended by the President, and the Congress of the United States passes that declaration of war, the senior Senator from Oregon will take the position that we must unite behind the declaration and do what we can to bring that war to a speedy and successful end. But until there is a declaration of war, our position in South Vietnam cannot be reconciled by the Constitution of the United States. Under article I, section 8, of the Constitution, only Congress can declare war, and no President has the right to make war on such a sustained basis as he is making it in South Vietnam in the absence of a declaration of war. Let the record show that if I were asked to vote for a declaration of war tonight in connection with South Vietnam, I would vote against it, because in my judgment the facts do no warrant our declaring war. If the facts remain that way, if, as, and when a declaration of war is proposed, I shall vote against it.

But, if the facts change, so as to justify a declaration of war under our Constitution, the senior Senator from Oregon will vote for it.

However, we should not be talking about war at all. We should be talking about how best to bring about peace in southeast Asia.

I intend to continue here, and across the country, to offer the proposal that I have offered for more than a year, of

submitting this war in South Vietnam, as far as the U.S. participation in it is concerned, to one of three agencies that I have outlined again in this speech. We must do more than prate about substituting the rule of law for the jungle law of military force; we must practice it; we must stop being hypocrites about it. We must live our ideal of peaceful pursuit in connection with disputes that threaten the peace of the world.

I close this subject matter, before I turn to my next one, by asking unanimous consent to insert in the RECORD at this point a lecture I delivered at Syracuse University on December 14, 1964, entitled "Is Our Policy in Vietnam Leading the United States Into War?"

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

IS OUR POLICY IN VIETNAM LEADING THE UNITED STATES INTO WAR?

(Remarks of Senator WAYNE MORSE before Syracuse University, Syracuse, N.Y., December 14, 1964)

A few weeks ago, people laughed when presidential candidate Barry Goldwater talked blithely of "interdicting" the routes from North Vietnam into South Vietnam, especially by use of chemicals and radiation to defoliate the trees that conceal the jungle trails.

But today there is every evidence that the American Ambassador has returned to Saigon from Washington with something very similar to the Goldwater prescription for the civil war in South Vietnam.

A traditional signpost that points to this conclusion is the increased emphasis in the White House communique on the Taylor talks, in the statements by the Vietnamese Ambassador in Washington, and from official sources in Saigon, upon infiltration of men and supplies from North Vietnam through Laos into South Vietnam.

This new emphasis is in total contrast to the previous official testimony on this point presented to the Foreign Relations Committee. In fact, no new evidence has been offered to change the assessment that the great bulk of the Vietcong rebels were local residents, that close to 90 percent of their weapons were captured from Government sources, and that their civil war against the Government would continue whether or not it received aid or leadership from North Vietnam.

But the 100 percent expansion of the South Vietnamese Air Force and the drum-beating in both Washington and Saigon about alleged infiltration from North Vietnam, suggest to these experienced ears that air attacks by U.S. jets flown by United States and Vietnamese pilots will soon commence in Laos, as they may already have begun in the demilitarized zone of North Vietnam.

What this will accomplish, no one has explained. But it has long been obvious that just as Chiang Kai-shek could never return to the Chinese mainland except on the crest of a full-scale American invasion, neither can the patchwork Government of South Vietnam survive much longer except with full-scale U.S. military intervention that escalation of the war will bring about.

ORIGINS OF PRESENT POLICY

One of the most astonishing elements in the discussions of this policy is the number of Washington officials who will tell you that getting into South Vietnam was a hideous mistake, but once involved we have no choice but to continue. One wonders how much blood they are willing to spill to pursue a policy they recognize was fallacious from the beginning.

But I would like to go back to the end of World War II and examine the history of American relations with southeast Asia to see just how our policy led us to the present perilous situation.

Twenty years ago almost to the very month, the subject of postwar American policy in southeast Asia came in for study in the high levels of Government. A State Department memorandum to President Roosevelt suggested that positive announcements should be made of American policy toward the former colonial areas of southeast Asia being liberated from Japanese occupation. It suggested that specific dates for their self-government be set as objectives of American policy.

We know from Cordell Hull's memoirs that President Roosevelt heartily endorsed that policy. He believed that French dominion over Indochina should not be restored. At the Cairo and Teheran Conferences he urged that it be placed under an international trusteeship as a final step toward independence.

Cordell Hull records that only Prime Minister Churchill disagreed, and he quotes Roosevelt as saying: "The only reason (the British) seem to oppose it is that they fear the effect it would have on their possessions and those of the Dutch. They have never liked the idea of a trusteeship because it is, in some instances, aimed at future independence."

"Each case must, of course, stand on its own feet, but the case of Indochina is perfectly clear. France has milked it for 100 years. The people of Indochina are entitled to something better than that."

Today we are paying the price for our failure to carry out that policy. Within 10 years of the end of the war, the British, the Dutch, and the French largely recognized, after years of war and the expenditure of billions of dollars, that colonialism is a thing of the past. It is the United States that has failed to recognize what Mr. Roosevelt knew to be true: The era of white rule in Asia is finished, whether it takes the form of economic exploitation through direct rule or the form of manipulating governments to protect what we regard to be our interest—the postwar American form of colonialism.

Roosevelt's policy died with him. Our primary interest became one of bowing to French wishes in all international matters to guarantee her support and participation in NATO, and we began financing the French effort to recapture Indochina. We put over \$1¼ billion into that futile struggle. And when the French finally gave up, we took it over ourselves.

WANTED: A WESTERN FOOHOLD

All in all, it has cost American taxpayers \$5½ billion, exclusive of the cost of our own forces, to try to keep a Western foothold in southeast Asia. Some writers are working hard to convince the American people that all we are doing is maintaining a historic American policy. Journalistic spokesmen for the Defense Department are vehement in declaring that to lose our foothold in Vietnam is to lose all we fought for in the Pacific in World War II.

Nothing is further from the truth. Never in our history have we had any kind of foothold on the mainland of Asia. Before World War II, the most we ever had was the Philippines, which we voluntarily relinquished in 1935 and formally freed in 1945. Since 1945, we have maintained base rights in the Philippines, as in Japan; and we have kept a base in Okinawa, won by conquest. Our present "foothold" in South Korea is a legacy of World War II, not its objective.

What these Defense Department spokesmen really have in mind are not the strictly American footholds and bases in that part of the world but the whole network of French, Dutch, and British possessions that in World War II were freely used by Americans in the

prosecution of the war against Japan. The possibility that these staging areas should no longer be available for use at our pleasure vis-a-vis China is for many of them so unthinkable that they believe it is worth a war to retain at least one of them.

When France finally gave up the struggle in Indochina, the United States refused to sign the Geneva Accord of 1954, which ended the war. And we prevailed upon a new government we had chosen to back in South Vietnam not to sign it either. We began to send military aid early in 1955, and we, along with South and North Vietnam, were found by the International Control Commission to be in violation of the treaty.

The sad truth is that the threats of leading American officials to make war on China and the present war crisis, are the logical end of the dismal road in Indochina that John Foster Dulles set us upon in 1954. After failing in his efforts to keep the French fighting on in Indochina, despite American aid to their war effort and the promise of direct U.S. military action, Dulles refused to put the signature of the United States on the Geneva agreement of 1954 which marked the end of French rule there. South Vietnam also declined to sign. The most the United States said about the 1954 agreement was that we would recognize it as international law and regard violations with grave concern and as seriously threatening international peace and security.

Among the provisions of the 1954 accords was article 16: "With effect from the date of entry into force of the present agreement, the introduction into Vietnam of any troop reinforcements and additional military personnel is prohibited."

An exception was made for rotation of personnel, meaning French, already there.

Article 17 provided: "(a) With effect from the date of entry into force of the present agreement, the introduction into Vietnam of any reinforcements in the form of all types of arms, munitions, and other war materials, such as combat aircraft, naval craft, pieces of ordnance, jet engines, and jet weapons and armored vehicles is prohibited."

Again, an exception was made for replacement on the basis of piece for piece of the same type and with similar characteristics.

Article 18: "With effect from the date of entry into force of the present agreement, the establishment of new military bases is prohibited through Vietnam territory."

For 10 years we have claimed that North Vietnam was violating the accord by sending in help to the rebels against the South Vietnamese Government. But our solution was not to go to the parties who signed the agreement and who were responsible for its enforcement. Nor did we go to the United Nations, the sole international body with jurisdiction over threats to the peace.

Instead we multiplied our own violations by joining in the fighting. Each time we increase the number of American boys sent to that country to "advise" the local troops we violate the Geneva agreement of 1954. Every jet plane, every helicopter, every naval vessel we furnish South Vietnam or man with American servicemen is a violation, and so is every military base and airstrip we have constructed there.

Yet we hypocritically proclaim to ourselves and the world that we are there only to enforce the Geneva agreement.

Part of the 1954 agreement established an International Control Commission of Poland, India, and Canada to investigate complaints of violations. As early as its report covering 1956, this Commission found both North and South Vietnam had violated the accords of 1954, the latter in conjunction with the U.S. military aid activities.

The independent Commission, consisting of Poland, India, and Canada, found as early as 1956, that both North Vietnam and South Vietnam were in violation of the accords, and that the United States was in violation

with them, because of the military aid that we supplied in direct violation of the articles of the accord which I have previously read.

Immediately upon the signing of the 1954 agreement, the United States began to support the new government of South Vietnam in a big way. In the letter President Eisenhower wrote President Diem, a letter still serving as the basis for our policy in 1964, aid was pledged to Diem, and in turn, "the Government of the United States expects that this aid will be met by performance on the part of the Government of Vietnam in undertaking needed reforms."

NO FREEDOM OR DEMOCRACY IN SOUTH VIETNAM

In 1964, President Johnson refers to that letter as the basis for our aid, but the part about reforms has long since been forgotten.

In the decade following 1954, the United States for all practical purposes made a protectorate out of South Vietnam. Its new government immediately became financially dependent upon us; as rebellion against it grew, our level of aid was stepped up. By 1961, we had to send 15,000 American troops as "advisers" to the local military forces. Today, the figure is 22,000.

When the Diem government diverted itself from fighting rebels to fighting Buddhists, a coup by military proteges of the United States overthrew it. Within a few weeks, another coup replaced the Minh junta with what American advisers considered a more efficient military junta under General Khanh. In turn, the Khanh government has been succeeded by a series of coalitions, the current one being headed by Tran Van Huong.

At no time have the people of this unfortunate country had a government of their own choosing. In fact, the Khanh junta justified its coup with the excuse that some Minh officers were pro-French, and might seek some way of neutralizing the country. Just how these various creations of the U.S. Government differ from the old Bao Dai government which served as the French puppet, I have never been able to see. Yet American leaders talk piously of defending freedom in South Vietnam.

We say that one of our objectives is the enforcement of the 1954 agreement. But it has never been explained why we have any business enforcing by force of arms an agreement to which neither we nor our client country is a signatory.

Nor is it explained why enforcement can only take the form of massive violations by ourselves of articles 16, 17, and 18 of that agreement.

In the case of Laos, we did sign the Geneva accord of 1962, which sought to neutralize that country. Hence, we claim that the violations we have committed ourselves were undertaken only after North Vietnam violated the accord first. Our violations have taken the form of sending armed planes flown by American pilots over Laos.

The 1962 agreement permits military equipment to be brought into the country at the request of the Laotian Government, but it forbids "the introduction of foreign regular and irregular troops, foreign paramilitary formations, and foreign military personnel into Laos."

Any American planes raiding Laos, whether flown by Americans or South Vietnamese, will be in violation of the 1962 Laotian accord.

Now we are faced with the collapse of the government we have been supporting. It is becoming obvious that it was not a case of our aiding an established government; but of having created and maintained in office a whole series of governments that have had little or no support among the people.

We have been making covert war in southeast Asia for some time, instead of seeking to keep the peace. It was inevitable and inexorable that we would have to engage in overt acts of war as we are now doing.

There never was a time when it was possible for us to impose a government upon the people of South Vietnam without constant fighting to keep it in power. Nor was it possible to "bring the boys home by 1965," or by any other date. Never could the war be fought and won in South Vietnam alone, because the Khanh junta—and any of its successors and predecessors—could not survive without the massive and direct American military backing that is possible only if the war is expanded.

OUR INTERESTS NOT THEIRS

The United States is, of course, a full partner in the Government of South Vietnam. I am satisfied that since 1954 we have been a provocateur of military conflict in southeast Asia and marched away from our obligations to international law.

In recent months, evidence has mounted that both the Pentagon and the State Department were preparing to escalate the war into Laos and North Vietnam. American forces in nearby bases in the Philippines and Okinawa have been poised for air attacks on Laos and North Vietnam. The 7th Fleet has moved into the South China Sea and the Gulf of Tonkin, while the entry of ground forces through Thailand into Laos has been prepared.

Last August, vessels we had furnished to South Vietnam were used to shell two islands in the Tonkin Gulf belonging to North Vietnam. Meanwhile, American naval vessels patrolled a few miles seaward in international waters.

Those vessels were pursued by northern PT boats. Anticipating an attack, our destroyers began the exchange of fire while they were still some 3 miles away. After the second such incident, a well-planned retaliatory air raid was carried out against the ports harboring the PT boats.

This raid was not self-defense on our part; it was supposed to be a "lesson" to North Vietnam. It was supposed to give her a taste of what would happen to her if she did not cease and desist from what we regard as her interference in the affairs of South Vietnam. Today, one can only conclude that the lesson was lost.

It is evident that our military policymakers believe that our losses in South Vietnam must be covered by fighting elsewhere. Not able to win the battle against the local rebels, they believe American interests must be served by fighting where the power of American weapons superiority can be brought into play.

Shortly before the election, James Reston wrote in the New York Times: "While the political situation in Saigon is said officially to be deteriorating, the administration insists that there is no danger of collapse there in the foreseeable future, and Ambassador Maxwell Taylor has stated this week that the Communist military assault on South Vietnam is further from success now than ever before. If this is true, it is difficult to understand why some prominent officials, a few weeks before a national election, should be talking so openly about expanding the war, and not only advocating but almost lobbying for such a course of action.

"It is even possible now to hear officials of this Government talking casually about how easy it would be to 'provoke an incident' in the Gulf of Tonkin that would justify an attack on North Vietnam and thus, according to this thesis, enable the United States to bring strong military pressure on the Communists there to let up on their pressure on South Vietnam."

As Mr. Reston points out, our policy always has been described as helping a people remain free from Communist domination. We have stated over and over again that the war had to be fought and won in South Vietnam because the rebels were people of

South Vietnam and the great bulk of their weapons were taken from Government forces or brought by defectors from Government armies.

The fact that it is really American interests and not the interests of South Vietnam about which we are concerned is coming to the surface. Now, we hear that American prestige cannot take the blow of a retreat from South Vietnam; and if the war cannot be won there, then we must display our strength somewhere else. Our objective is no longer to help another people, but to maintain an American military presence on the mainland of Asia.

The discrepancy between our announced interests and our real interests is the source of much of our difficulty with American public opinion about southeast Asia. As long as the fiction could be maintained that we were helping a people remain "free," support for almost any U.S. involvement could be expected. But the disintegration of the political fabric of South Vietnam has exposed this discrepancy.

The signs from official Washington indicate a recognition among even the most ardent advocates of this U.S. policy in Vietnam that it has been a failure. Of the alternatives now being discussed, the one espoused so long by General Taylor and Secretary McNamara for increased U.S. aid is rarely heard.

That is because the preponderance of American money and military equipment is already so heavy that additional increments could not affect the situation. South Vietnam—at least the third or so of it still under Government control—has for many months been completely saturated with U.S. money, U.S. military equipment, and U.S. advisers, both political and military.

Still the tide runs against us. Still the political condition of the country deteriorates, and still the Vietcong raid with greater success and audacity.

So General Khanh openly calls for attacks on North Vietnam by the United States. And his frank recognition of the failure of past U.S. policy is being echoed by more and more of the American community of policymakers who devised it in the first place.

The theory they are now advancing is that the leadership for the Vietcong movement comes from North Vietnam and if we inflict heavy damage upon the industry and transportation network of that country, it will cease and desist from whatever succor it is giving the Vietcong.

All this assumes, of course, that the body and the muscle of the Vietcong resistance would be rendered helpless without the vague and unknown amount of direction it receives from the north. It further assumes that only the United States will decide to escalate the conflict and that North Vietnam and China will not respond by increasing their level of participation.

These assumptions are so unsound as to render the theory even less likely to succeed than the present policy. They are sheer guesswork, and they are the product more of embarrassment and frustration than of careful thought about the long-range interests of the United States.

IGNORING THE U.N. CHARTER

If we expand the war into Laos, North Vietnam, or China, in the name of protecting our investment in South Vietnam, it will be an outright American aggrandizement of the kind we have not embarked upon since the Mexican War. We will not only be inviting disaster but will be flouting every principle of international policy we have espoused since World War II.

Not the least of these is our signature on the U.N. Charter and our support of its activities. If our signature means anything, it requires us to observe article 2, section 4: "All members shall refrain in their interna-

tional relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations."

Other charter provisions are specific as to the duty of nations when they find themselves involved in a dispute. Article 33 states:

"Section 1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice."

Notice that the controlling verb is "shall." This is not an option but a directive. So far, it has been ignored by the United States.

It is commonly said both in and out of government that the U.N. is a waste of time and that the Communists understand nothing but force. However, the line continues; maybe at some future date we will find it to our interest to go to the U.N. This supposedly sophisticated argument ignores several points.

First, it may not be left to us to decide whether and when the issue should go to that body. Article 35 provides that "any member of the United Nations may bring any dispute, or any situation of the nature referred to in article 34 (threats to international peace), to the attention of the Security Council or of the General Assembly." This means that if we wait for another country to invoke article 35, we can be sure it will not be under conditions most favorable to us.

Second, the assumption by administration spokesmen that someday, sometime, somehow, and under some other circumstances we will seek U.N. action is an admission that the issue is really one of U.N. jurisdiction. What they are saying is that to adhere to the charter now would not serve American interests: the time to negotiate is when we dominate the battlefield.

This amounts to saying that any treaty obligation that does not serve our national interest is just a scrap of paper. These officials take the view that we may one day resurrect the charter from the wastebasket but not until we think it serves our interests.

If this is to be our policy, then we are helping to destroy the United Nations and all the advances in the rule of law in world affairs that it represents. This will undermine our moral position and seriously compromise our capacity for calling others to account for breaches of the peace. This is already the case in connection with Mr. Sukarno's aggressions against Malaysia.

Third, the "fight now, negotiate later" line is based on the wholly illusory assumption that Red China and North Vietnam will do what we refuse to do—negotiate when they are losing. Can we really expect that when China is in the same situation in which she was in Korea, she will negotiate instead of pouring her hordes into the fray? I know no reason to justify either this wishful thinking or the head-in-the-sand attitude that if we kill enough and bomb enough, North Vietnam and Red China will yield.

UNITED STATES ISOLATED IN ASIA

There is yet another element to this problem that has largely been ignored. That is the isolation we would create for ourselves in Asia.

There is no evidence that any other nation would join us in expansion of the war into Laos or North Vietnam. Although a spokesman for Thailand recently proposed that military forces from other Far Eastern nations join the United States in the fighting, not even Thailand has actually sent any. There are no British, New Zealand, French, Filipino or Pakistani forces in Vietnam,

either, yet all are members of the Southeast Asia Treaty Organization, under whose terms we claim we are acting in South Vietnam.

Prime Minister Wilson has rejected a request by President Johnson that Britain send troops to join ours. But so did the President reject Wilson's request that the United States help fry Britain's fish in Malaysia. Apparently each country will act unilaterally in those places with a moratorium on criticism of any illegalities or threats to world peace that may result.

Of SEATO members, only Australia has sent a token force. It now amounts to perhaps 60 to 70 men, with a few air transport planes and crews promised for the future.

That is the measure of how our SEATO allies feel about fighting in Vietnam.

The SEATO organization, in the first meeting of its foreign ministers in 1955, adopted what amounts to a bylaw requiring that all action taken by the treaty organization shall be by unanimous agreement. Flat opposition by France and Pakistan has foreclosed any formal military action in Vietnam by SEATO.

Indeed, the largest newspaper in Pakistan, Jang, recently editorialized: "As long as the United States is allowed to remain in the area she will continue to involve countries of the area in war. This is because the United States is out to encircle and destroy the People's Republic of China."

Even Australia is expressing alarm about the possible escalation of the war. The Daily Mirror, of Sydney, a relatively conservative Australian paper, said on November 26:

"DON'T BOMB HANOI

"There are ominous signs that renewed efforts are about to be made in Washington to stampee the Johnson administration into agreeing to bomb North Vietnam.

"This would be the last throw in an effort to end the civil war that has racked South Vietnam for so long.

"Any such reckless action could well prove to be disastrous. At the best it is not likely to achieve its objective. At its worst it could start a Korea-type war, with Chinese intervention, which might spread nobody knows where.

"The American Ambassador to South Vietnam, General Maxwell Taylor, left Saigon yesterday to confer with President Johnson and Defense Department officials.

"Before leaving he gave an indication of his thinking when he said that Communist forces 'outside South Vietnam' had played a major role in supporting the Communist Vietcong insurgents.

"The reference was clear. Support for the rebels, in his view, comes from North Vietnam. It is logical to assume that he is thinking about attacking Hanoi, the capital, and other strategic targets across the border. For some time a steady flow of propaganda from the 'bomb Hanoi' school in Washington has been trying to prepare the American people for such action.

"Yet there is very little evidence that support for the Vietcong is coming from the north. They are strongest in the southern tip of South Vietnam, farthest from North Vietnam, and they are armed largely with American weapons captured from the Government forces.

"They are, in fact, a strongly organized Communist movement capitalizing on popular dissatisfaction with the rottenness of successive administrations in Saigon. It is a serious fallacy to think that bombing North Vietnam would end their activities.

"Two of the most influential British newspapers, the Guardian and the Times, condemn the proposal to extend the war. The Guardian says that even if the present propaganda campaign is merely designed to put the United States in a better bargaining position, it still does not seem a good idea.

"The Times says that the dangers 'scarcely need pointing out.' One of the risks, it says,

is of Chinese intervention, and it adds: 'One of the fallacies of the past 5 years in South Vietnam has been that the guerrillas in the south were a creation of the north and not a genuine revolt against misgovernment.'

"The French, who have bitter cause to know more about the situation in Indochina than anybody else, also oppose bombing North Vietnam."

"After 16 years of ruinous civil war surely commonsense would dictate to Washington that a political, not a military, solution is the answer."

Although India is the one country of Asia most threatened by China, even India has no desire to see a war break out, because in conditions of war between the United States and anyone in Asia, nuclear weapons would be used sooner or later. Moreover, like Australia, India knows that in war, nations lose control of events. Nations are controlled by wars, and not the other way around.

Official opinion in India has been expressed for a 14-nation conference on Vietnam. That is the most sympathetic view of our position among any of the leading nations of Asia.

How much further do we want to dig ourselves into this pit, started by the Eisenhower administration and deepened by the Kennedy administration?

FUTURE OF UNITED STATES IN ASIA UP TO PRESIDENT JOHNSON

That question is going to have to be answered by President Johnson alone. It is too bad that all these chickens have all come home to roost on his doorstep; but there they are.

The resolution passed last August by Congress gave the President a blank check to use force in Asia. As a legal statement it means little; but it was sought and given as a political backstop. On two other occasions, similar resolutions authorizing a President to use armed force in given areas led right straight to war. One was with Mexico in 1846 and a second was with Spain in 1898. Those resolutions, like the current one, were supposed to prevent war by warning an adversary of our intentions. But both had to be followed by declarations of war.

President Johnson has said little in public on this matter except for what he said in a New Hampshire campaign speech last September 28, 1964. In responding to the Goldwater prescription, he said:

"So just for the moment I have not thought that we were ready for American boys to do the fighting for Asian boys. What I have been trying to do, with the situation that I found, was to get the boys in Vietnam to do their own fighting with our advice and with our equipment. That is the course we are following. So we are not going north and drop bombs at this stage of the game, and we are not going south and run out and leave it for the Communists to take over. We have lost 190 American lives, and to each one of those 190 families this is a major war. We lost that many in Texas on the 4th of July in wrecks. But I often wake up in the night and think about how many I could lose if I made a misstep. When we retaliated in the Tonkin Gulf, we dropped bombs on their nests where they had their PT boats housed, and we dropped them within 35 miles of the Chinese border. I don't know what you would think if they started dropping them 35 miles from your border, but I think that that is something you have to take into consideration.

"So we are not going north and we are not going south; we are going to continue to try to get them to save their own freedom with their own men, with our leadership and our officer direction, and such equipment as we can furnish them. We think that losing 190 lives in the period that we have been out there is bad, but it is not like 190,000 that we might lose the first month if we escalated that war. So we are trying some-

1965

CONGRESSIONAL RECORD — SENATE

249

how to evolve a way, as we have in some other places, where the North Vietnamese and the Chinese Communists finally, after getting worn down, conclude that they will leave their neighbors alone, and if they do we will come home tomorrow."

The question now is whether President Johnson can bring himself to do the only thing that can be done in Asia to escape an expanded war; to bring other interested parties into a multilateral political agreement for southeast Asia.

This could take the form of a United Nations jurisdiction along the lines proposed so wisely by President Roosevelt; or it could take the form of seeking a SEATO action that would police South Vietnam while a political solution is developed; or it could take the form of a new 14-nation conference among the same nations that arranged the 1954 Geneva accord.

The further we go in expanding the war—the more agreements we violate and the more people we kill in the name of peace—the more military opposition we harden against us in North Vietnam and China—the more we alienate ourselves from the now-Communist nations in that part of the world—the more impossible any peaceful solution becomes.

In the last 10 years, we have learned that we are not masters of events in Vietnam, despite our billions of dollars and our thousands of troops on the scene. It has not been shown that any stepped-up investment of blood or money will make us masters.

It still is not too late for President Johnson to lead the American people out of this morass. Whether he leads us out or further in, will be the first great test of his administration.

Mr. MORSE. Mr. President, as I said earlier in this speech, since Congress adjourned last fall, from time to time, I have discussed the war in South Vietnam. In order to keep the record straight—I understand there are those who have been heard to say that I have been surprisingly silent on the subject matter during the adjournment—I ask unanimous consent that the following press releases on the subject matter be inserted in the Record at this point:

The press releases of November 23, 1964, November 27, 1964, December 22, 1964, December 23, 1964, December 24, 1964, December 30, 1964, and January 5, 1965.

There being no objection, the press releases were ordered to be printed in the Record, as follows:

NOVEMBER 23, 1964.—Senator WAYNE MORSE, a member of the Senate Foreign Relations Committee, said in a press statement today that "widespread circulation is being given in today's press to a State Department and Pentagon Building trial balloon on South Vietnam.

"The dope story is that Ambassador Taylor is on his way back to the United States from South Vietnam to recommend an expansion of the South Vietnam war into North Vietnam and Laos by United States bombing a limited number of selected targets and bases in North Vietnam and Laos.

"I hope there is no basis in fact for these stories of proposed warmaking. On the other hand, if they prove to be accurate, then in my judgment, Ambassador Taylor should be summarily fired and all others in the State Department and Pentagon Building who may be associated with him in any such recommendation of international outlaws on the part of the United States.

"It was on General Taylor's recommendation of 1961 that 21,000 U.S. military per-

sonnel, much of the 7th Fleet, and extensive air forces are now floundering in Vietnam.

"The new adventures he is alleged to be proposing would only shove this country even deeper into an Asian quicksand.

"The United States is not legally at war with North Vietnam or any other country in Asia although it is true that we are engaged in unilateral military action in South Vietnam in violation of our international treaty obligations under the United Nations Charter. In the absence of a declaration of war, the State Department and the Pentagon Building cannot justify under international law the continuation of our acts of aggression against the borders of North Vietnam, Cambodia, and Laos.

"Contrary to repeated newspaper misrepresentations of my position of the past year in opposition to United States military action in South Vietnam, I have not advocated only that the United States stop making war in South Vietnam; but rather I have advocated that the United States insist that the United Nations or SEATO or a reconvening of the 14-nation Geneva Conference assume jurisdiction over the threat to world peace in southeast Asia.

"I have advocated that the United States contribute its share of assistance to the establishment of such a United Nations program which would amount, in effect, to the setting up of a United Nations Trusteeship over war-stricken South Vietnam until peace can be restored. This, in essence, is the same program as President Franklin Roosevelt recommended for all of Indochina 20 years ago.

"If the State Department and the Pentagon Building continue with advocating expansion of the South Vietnam civil war into a war against North Vietnam and Laos and possibly Red China by American military forces, the American people will rightly hold this administration to accounting. Every day produces increased evidence that the American people are becoming fed up with the continuation of unjustified slaughter of American boys in southeast Asia.

"The unilateral military action of the United States in Asia should be stopped, and our Government should insist that the procedures of international law applied through the United Nations Charter should be used in meeting the threat to world peace in Asia which is growing more dangerous by the day."

NOVEMBER 27, 1964.—Senator WAYNE MORSE, Democrat, of Oregon, issued the following statement today on the southeast Asia crisis:

"Ambassador Maxwell Taylor is back in the United States appearing on television, radio and in press conferences where he is spreading his propaganda and alibis in support of increased United States military action in southeast Asia.

"Taylor should be kept in the United States permanently. His Deputy Ambassador, Alexis Johnson, should be recalled along with him. These two Ambassadors have not only been complete failures as far as bringing about greater internal stability in South Vietnam but they have been in league with war expansionists in the South Vietnamese military establishment, headed by America's No. 1 puppet, General Khanh.

"Taylor's last appearance before the Senate Foreign Relations Committee convinced me that he is a key leader among United States military and State Department warmongers who are seeking to extend the war in Asia in the absence of a declaration of war.

"Any proposal to use American men or equipment to commit acts of bombing, selective or general, in North Vietnam, Laos or elsewhere in Asia in the absence of a declaration of war by Congress, constitutes acts of aggression on the part of the United States.

Such military action by the United States would make our country the most serious threat to the peace of the world.

"The slaughter of American boys in South Vietnam and the continued killing of both South Vietnamese and North Vietnamese, as the result of illegal and unjustifiable aggressive unilateral military action by the United States in southeast Asia, constitutes the writing of a bloody and shameful page in United States history. Our Government, to date, has made no attempt to take the southeast Asia war to the conference tables of the United Nations or to the negotiations of a reconvened Geneva Conference.

"Instead our Government is permitting the Pentagon Building and the State Department to conduct an undeclared war in Asia to the consternation of millions of people throughout the world, including people in the United States.

"A civil war prevails in South Vietnam. It cannot be settled by unilateral United States intervention. The Pentagon Building and the State Department are playing into the hands of our despicable Communist enemies, and they are frightening our friends among the free nations of the world who want no part of United States outlaws in Asia.

"The time has come for the American people to make clear to the Johnson administration that the slaughter of American boys in southeast Asia must stop immediately.

"The time has come for member nations of the United Nations to impose all the sanctions of international law available through the procedures of the United Nations Charter to stop the United States, South Vietnam, North Vietnam, Laos, Red China and Russia from a further endangering of the peace of the world by expanding the civil war in South Vietnam to a major war in Asia."

DECEMBER 22, 1964.—"Our bankrupt policy in Vietnam has reached the point where we cannot even put together a government," Senator MORSE said today.

"General Khanh and his fellow military progeny of the American aid program have no capacity to govern, nor even to carry out the military end of the civil war. Apparently they do not intend to let anyone else govern, either.

"This chaos in South Vietnam is the fruit of 10 years of American mistakes. It is the result of installing one clique of corrupt tin-horn generals after another to carry out American interests, with no thought whatsoever for the interests or well-being of the 14 million people of South Vietnam.

"These generals and their civilian counterparts have been living off American aid for 10 years. They have made corruption a way of life. They have done nothing to unite their country or to reform their society so as to remove the appeal of the Vietcong, and they never will so long as American boys are there to die for the status quo. These men are accomplished only in maladministration.

"To place the lives of American soldiers at the mercy of these flunkies is to throw away those lives. The administration must stop concealing from the American people the futility of what we are being asked to do in Vietnam, and the futility of the American deaths there.

"It is obvious that there is no will among its people to fight the rebels. There is no incentive for 14 million people in South Vietnam to put down some 35,000 rebels. The only incentive is with those who have waxed fat off American aid, but for them the status quo is the most profitable situation. We must stop protecting these corruptocrats with American lives.

"There must be a complete change in our policy and a complete change in the personnel responsible for it. The administration must face the fact that the Taylor-McNa-

mara policy is a failure. It must stop the further slaughter of American boys and start finding the political solutions that should have been devised 10 years ago. Those whose advise brought the country to this debacle must be replaced with men willing to do what should have been done long ago, and that is to place Vietnam under international auspices."

Senator WAYNE MORSE, a member of the Senate Foreign Relations Committee, today made the following statement about South Vietnam:

"President Johnson must lay the Vietnam problem before the United Nations. The loss of one more American life in defense of the hopeless chaos in South Vietnam would be inexcusable.

"The military and civilian factions in Saigon are indulging in their struggle for power with the understanding that American military power will always protect them from their excesses and from whatever follies they may commit. The masses of the South Vietnamese people, however, are demonstrating no interest in defending their country for the benefit of these factions and profiteers.

"Sending American boys to their death for these greedy and incompetent cliques should no longer be sanctioned by the American people.

"President Johnson cannot justify further pursuit of the costly and dangerous Taylor-McNamara policy in that country."

DECEMBER 24, 1964.—Senator MORSE said today that Secretary Rusk's press conference remarks about South Vietnam "were further evidence that Rusk's department has failed to work out a sound American policy in South Vietnam.

"His feeble platitudes did not hide the fact that American soldiers are being sacrificed for a small group of men in South Vietnam who live off American aid. Americans are not dying for anyone's freedom in Vietnam; they are dying only to save a few 'faces' in Saigon and Washington.

"It is the Pentagon that has fashioned the present disastrous policy in Vietnam. It is a policy that promises perpetual war at best, and a bigger and expanded war at worst.

"Mr. Rusk must know that only Vietnamese will ever unify Vietnam. Americans will only divide it so long as any faction there depends upon U.S. aid for its existence. There will never be any American-sponsored 'unity' in South Vietnam. What we need from Mr. Rusk is not more tranquilizing but an American policy in Asia that will be based on realities."

DECEMBER 30, 1964.—Speaking again today of our problems in South Vietnam, Senator WAYNE MORSE said:

"Contrary to oft-published reports, it is not my position that the United States should merely 'get out' of South Vietnam.

"We should get out in the sense that we should stop making war there for U.S. interests, and stop making an American puppet out of South Vietnam.

"That unfortunate country should be put under international auspices through the United Nations, a new 14-nation conference, or even through SEATO. In any of these procedures, there will be an important role to be played by the United States.

"It is the continued use of South Vietnam as a battleground for American interests and prestige that must stop because it can only end in disaster for the United States."

JANUARY 5, 1965.—Senator WAYNE MORSE, Democrat, of Oregon, issued the following statement today on President Johnson's state of the Union message:

"The rhetoric of the foreign policy part of the President's speech does not camouflage successfully the illegality under our treaty

obligations of American unilateral military action in South Vietnam.

"We are not defending freedom in South Vietnam, because there has never been a free government in South Vietnam. That unfortunate country has always been ruled by a dictatorship acting as American puppets.

"The American people will not be deceived much longer by the administration's propaganda about alleged freedom in South Vietnam. Only an aroused American public opinion can now stop the unjustifiable killing of American boys in South Vietnam."

Mr. MORSE. Mr. President, I have before me a few comments from American newspapers bearing on the subject, which I should like to make a part of my speech.

I therefore ask unanimous consent that there be inserted at this point in the RECORD an editorial from the Providence Journal of December 24, 1964, entitled "U.S. Withdrawal From South Vietnam."

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

U.S. WITHDRAWAL FROM SOUTH VIETNAM

The crisis in Saigon has grown to the point where American policy must be backed by firm decisions; no longer can we drift along in the hope that time will cure the Vietnamese situation. Withdrawal will be a serious blow to our prestige in Asia, but harsh facts dictate the need for tough-minded policy decisions now.

This country cannot and must not attempt to go it alone in southeast Asia or in any other region or country where our presence and our help are not wanted by local governments. We are in South Vietnam to help the Vietnamese win the war, not to replace them or to win the war for them.

Implicit in the congressional resolution authorizing American aid, including the use of armed forces, to maintain the peace and security of southeast Asia, is the understanding that nations seeking our help will establish, maintain, and observe reasonable standards of partnership.

Today in Saigon, power rests on the gun barrels of dissident young generals. Any civilian government they allow to exist will be a facade, and the thrust of attacks on Ambassador Maxwell D. Taylor makes it plain that the generals propose to rewrite the terms of partnership to their own benefit.

America cannot afford to let the generals milk us of arms and cash, turn the country into a military dictatorship, and run the war for their private prestige and personal profit. If the terms of partnership are changed unilaterally, there will be no partnership. We were asked to help—but in a common cause.

Withdrawal from Vietnam need not mean withdrawal from southeast Asia or the frustration of the congressional resolution on maintenance of peace in that area. We can still help those governments willing to fight for themselves and cooperate honorably in joint restraint of internal and external attack.

We can offer Malaysia a more active participation (with Great Britain) in the defense of that nation against Indonesian assault. We can affirm our support of Thailand, although the Thai, almost wholly surrounded by Communist or Communist-leaning countries, may elect to survive by attempting some sort of coexistence.

But most of all, we can do no less than restate our historic ties with the Philippines and Australia, our two best friends in the Pacific, each with a stable government dedicated to the principles of the free world

and whose people are demonstrably ready to fight to preserve their freedoms.

Withdrawal from Vietnam, in short, need not mean the disappearance of our presence or our strength from southeast Asia. A reinforced 7th Fleet alone gives us continuing, meaningful power that even Red China will hesitate to provoke and certainly is not prepared to attack.

If we leave Saigon, we shall leave in honor, not because we broke promises to South Vietnam but because the Vietnamese refused to keep the terms of agreement under which we went there. An agreement to help is just that, not a promise of an unending free ride for a clique of power-hungry generals.

Withdrawal will not be easy, but it's time that we faced up to the prospect of leaving instead of simply appealing for a unity that grows more unlikely every day. If we do leave, we must take, however, this one solid fact with us: In the future, we must help only those nations genuinely dedicated to self-help. All else is dangerous delusion.

Mr. MORSE. Mr. President, I ask unanimous consent that there next follow in the RECORD a very brilliant analysis, by Richard Starnes, entitled "Shameful Mess," published in the Washington Daily News of January 4, 1965.

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

SHAMEFUL MESS

(By Richard Starnes)

The pretense of legality cloaking American intervention in southeast Asia grows more threadbare with every passing hour.

U.S. aircraft are preparing to launch strikes against parts of the misnamed Ho Chi Minh Trail that cross Laos, in clear violation of the Geneva accord of 1962, which we signed.

The 1962 pact, which undertook to neutralize Laos, prohibits "introduction of foreign regular and irregular troops, foreign paramilitary formations, and foreign military personnel into Laos."

Our excuse for this calculated violation of a solemn covenant is that North Vietnam violated it first. Even if this is true, it reveals a corrosive cynicism on the part of the one nation on earth that has always preached the rule of law in international affairs.

Leaving for the moment the moral and legal character of our resolve to enlarge the war, we find that the more practical aspects of the decisions are no more durable. The theory (which even our most ardent war hawks cannot really believe) is that bombing the Ho Chi Minh Trail will somehow persuade North Vietnam and Communist China to withdraw support from the Vietcong insurgency that is winning South Vietnam.

There are three tragically dangerous fallacies involved here—fallacies that could cost a great many young American lives.

Fallacy 1: That any amount of bombing (short of laying a massive radioactive carpet across the waist of the peninsula) would be effective. Korea proved that no amount of conventional bombing could diminish the enemy's ability to supply his troops. There is, moreover, not one shred of credible evidence that the bulk of munitions used by the Vietcong originate in the north. At the outset, the Vietcong used crude homemade weapons, but the bulk of their arms now are captured or otherwise acquired from the woefully inept defenders of South Vietnam.

Fallacy 2: On no evidence at all, the proponents of escalation insist that this demonstration of Western armed power would create an atmosphere in which negotiations for peace could be undertaken from a position of strength. This reasoning simply won't float, for it assumes that North Vietnam and Red China would be willing to

do what we ourselves are so unwilling to do—that is, negotiate from a position of weakness.

Underlying all else is fallacy three: That the insurgency in South Vietnam is primarily an external war of aggression. Again, there is no real evidence of this. The war is nurtured and encouraged by North Vietnam, to be sure, but there is no assurance that Hanoi could stop the war even if it so willed.

In Korea we hypnotized ourselves into believing that Communist China would not enter the war. We are now in the process of repeating this catastrophic piece of self-deception. On past performance, Red China is calculated to respond in kind if the United States falls into the trap of stepping up the war in southeast Asia. It is a mistake to assume that this would simply result in another Korea. It would result in something infinitely worse, for we are now dealing with a Communist China that has the bomb.

Thus the smallest increment in the war contains the frightful seeds of nuclear holocaust.

There are, sadly, times when such terrible risks must be taken. The Cuban missile crisis was one such time, for it threatened the very existence of the American nation.

No such threat exists in South Vietnam. The fact that the Vietcong are Communists does not make the war any less a civil war. Talk that we are fighting to keep a foothold on the Asian mainland makes no more sense than the Soviet gibberish that it was installing defensive missiles in Cuba. It is equally indefensible.

American interests in the Western Pacific can be handsomely garrisoned from Okinawa, the Philippines and South Korea. There is no more military rationale for risking war over South Vietnam than there is moral or legal justification.

President Johnson needs to remind himself of Clemenceau's dictum that war is too important a concern to be left in the hands of generals, and he needs to find the courage and statecraft to extricate us from the shameful mess we are in in southeast Asia.

Mr. MORSE. Mr. President, I ask unanimous consent that there be inserted in the RECORD at this point a column entitled "Bipartisan Mistakes in Vietnam," written by Drew Pearson and published in the Washington Post, Friday, December 4, 1964.

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

THE WASHINGTON MERRY-GO-ROUND—BIPARTISAN MISTAKES IN VIETNAM
 (By Drew Pearson)

When you read over the file on Vietnam and French Indochina, you get no tingle of American pride.

For after 18 years of Western civilian and military aid—8 under the French and 10 under the United States and after \$7 billion of American money plus the services of thousands of Western advisers, South Vietnam is worse off than at the end of World War II.

Furthermore, if a vote were held in South Vietnam today, the majority of its people would probably vote to have the United States, with all its aid, all its advisers, and all its troops, go home.

These are the facts, unpleasant as they may be.

The mistakes are bipartisan. Both the Republican and the Democratic administrations made them. Both sides made grandiose promises, both waved the flag of unfulfilled achievement.

John Foster Dulles on October 6, 1953, stated that a stronger French position in

Indochina was his "brightest achievement for the year."

But 1 year later, France had tossed in the sponge. It was out of Indochina altogether. Seven years later, April 20, 1961, John F. Kennedy told the American people: "We dare not fail to see the insidious nature of the new and deeper struggle. We dare not fail to grasp the new concepts, the new tools, the new sense of urgency that we will need to combat it in Cuba or South Vietnam."

And 10 years later, January 1964, President Johnson was making the same promises: "We shall maintain in Vietnam American personnel and materiel needed to assist you in achieving victory."

RECORD OF THE COST

One month later, Secretary of Defense McNamara made the most sensible statement of the entire 18-year period of flag waving. "I don't believe," he said, after returning from Vietnam, "that we as a nation should assume the primary responsibility for the war in Vietnam. It is a war that can only be won by the Vietnamese themselves."

Meanwhile the American people have been getting only fragmentary information regarding the burden, the bungling in Vietnam. The record shows, for instance, that in 1953 the United States paid \$300 million for training Vietnamese troops under the French. And General de Gaulle, believe it or not, protested.

It shows that between 1950 and 1952, the United States footed one-third of the French war bill in Indochina, sending 228 warplanes, 235 naval vessels, 775 combat vehicles, and 1,300 trucks. In 1953, furthermore, the United States spent \$100 million building airstrips for the French. One year later, the French got out.

Added together we spent about as much on the French in Indochina as we spent to rebuild metropolitan France under the Marshall plan.

There was one cautioning voice at the time, that of Senator MIKE MANSFIELD, of Montana, later to become Senate majority leader. "We should end all but humanitarian aid to South Vietnam," he said in 1955. He later claimed, after a Senate investigation, that President Eisenhower had censored and kept secret a report on the evaluation of U.S. aid.

Aid continued at around \$200 to \$300 million a year under Mr. Eisenhower, then was stepped up under Mr. Kennedy. As a Senator, J.F.K. had been one of John Foster Dulles' faithful supporters.

On October 26, 1961, he exchanged letters with President Diem regarding military assistance, following up the exchange on November 9, with 200 Air Force instructors, plus heavy amounts of Air Force equipment.

EVENTS IN 1962

By February 8, 1962, a total of 5,000 U.S. military men was in South Vietnam, actively engaged in battle. On June 25, 1962, the International Control Commission charged South Vietnam with violating the 1954 Geneva agreement by accepting U.S. military men and making a factual military alliance with the United States.

Meanwhile Presidents Kennedy and Diem had exchanged further correspondence charging the Communists of North Vietnam with unceasing violation of the Geneva treaty.

Since the assassination of President Diem there has been no political stability whatsoever. Premiers and military dictators have come and gone, some picked by the United States, none able to remain in power more than 5 minutes without the United States.

All of this is why silent sentiment has increased among the men who have to do

the fighting to turn over the entire Vietnam problem to the United Nations.

Mr. MORSE. Mr. President, I ask unanimous consent that there be inserted in the RECORD an editorial published in the Washington Post of December 22, 1964, entitled "Empty Sack?" It refers to an analysis of the situation in South Vietnam by the editorial writer of the Washington Post.

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

EMPTY SACK?

Unless a stable, continuing government can be established in South Vietnam, the U.S. Government, whatever its preferences and wishes, may be compelled to withdraw its aid and support. The sixth uprising in 14 months almost eliminates the assumption that there is a South Vietnam Government competent to extend a request for aid and capable of utilizing whatever aid is extended.

The rebelling generals have made it quite clear that some of the young leadership of the armed forces is interested first in promotion and pay, thereafter in personal and family prerogatives, then in the distribution of American aid and only then, if there are any intellectual or emotional resources left over, in fighting the Vietcong.

The United States has frequently expressed and has continuously demonstrated its willingness to help defend the freedom and independence of small countries who do not have the economic or military resources to defend themselves against Chinese Communist aggression. That willingness persists, but it cannot be effective in a country which is not willing or able to use its resources in its own behalf. The indispensable ingredient of an endurable situation in South Vietnam is a stable civilian government backed by a military force appropriately subordinate to civilian authority. No amount of American aid can make up for the lack of this ingredient. Unless it is present, no foreign power can save Vietnam. Efforts to do so will constitute an attempt to prop up an empty sack.

It does not much matter what we would like to do in South Vietnam. What we would like to do is governed by what we can do and what we cannot do. And it is becoming increasingly clear that, without an effective government, backed by a loyal military and some kind of a national consensus in support of independence, we cannot do anything for South Vietnam.

When we decide that the hope of putting together these elements of success can no longer be entertained, the United States must have the courage to confess the unattainability of its ends and courageously abandon them. The economic aid and military power of the United States are going to be needed by countries that have the restraint, national discipline, and military purpose to use them effectively. They must not be wasted in a futile attempt to save those who do not wish to be saved.

If the warring factions in South Vietnam extinguish the last spark of hope and confidence, we will need to make it clear that they and not we have made the decision to give up the fight. This country will depart with a heavy heart; for the subjection of the unfortunate people of South Vietnam seems inevitable. Our national honor and interest alike compelled us to help themselves; but neither honor nor interest requires us to continue that help a moment beyond the instant when it is clear that all help will be unavailing. We are very close to that decision.

Mr. MORSE. Mr. President, I ask unanimous consent that there be inserted in the RECORD an editorial entitled,

"Time for Decision," published in the Oregonian, of my State, for Tuesday, December 22, 1964.

I hope that my inserting the editorial from the Oregonian will not cause the editorial writer of that newspaper too great a shock. I believe I have demonstrated over the years that whenever I find that in my opinion the Oregonian is right about something, which is seldom, I always give due credit for such writing.

Therefore, I ask unanimous consent that there may be printed in the RECORD at this point this editorial, which is critical of our policy in South Vietnam.

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

TIME FOR DECISION

The latest military coup in South Vietnam, the sixth change in governmental power in 14 months, comes near the end of the wet season and in a period of increasing Communist military attacks. Obviously, the role of the 22,000 U.S. military men assigned to help the South Vietnamese defend their country from the Vietcong is made more difficult.

None of these military and civilian upheavals at the top levels of government, including the ouster and murder of President Ngo Dinh Diem and his ruthless brother, Ngo Dinh Nhu, has touched the main problem. That problem is the inability of the government to compete with the Vietcong agitators in winning the support of the Vietnamese farmers and villagers outside Saigon.

The "young generals" who arrested 9 remaining members of the civilian High National Council and about 20 other generals and politicians left the new premier, Tran Van Huong, Chief of State Phan Khac Suu and Lt. Gen. Nguyen Khanh, chief of the armed forces, in their offices. But it is apparent these will take orders, for the time being, at least, from the "Young Turks." A new civilian government is promised. But this, too, is window dressing.

Some politicians under Buddhist attack were among those arrested. But so were some Buddhist leaders. The Buddhists called off weekend demonstrations while appraising the new situation. But nothing in the change in military authority promises satisfaction to the Buddhist politicians. Indeed, nothing is likely to satisfy them except all-out Buddhist authority, possibly accompanied by a blood bath of Catholics.

The proclaimed goal of the "young generals" is to mediate religious and political differences, to achieve national unity and to "annihilate the Communists." The junta has power. Its leader is Brig. Gen. Nguyen Chanh Thi, commander of the 1st Army Corps, and it includes Air Force Commander Brig. Gen. Nguyen Cao Ky, Marine Corps Commander Brig. Gen. Le Nguyen Khang and 4th Army Corps Commander Brig. Gen. Nguyen Van Thieu. But these are only unfamiliar names to the Vietnamese people who help or join the Vietcong, either because they want to or are afraid not to. They have no popular following among people so drained by years of war that they want peace above all and care nothing about the ideological beliefs of their rulers.

It is absurd for the U.S. diplomats to hint that aid will be cut off from the South Vietnamese Government because some generals have usurped the power earlier usurped by other generals. The Johnson administration cannot any longer postpone a decision. If it has no plan which has a hope of defeating the Vietcong, and only intends to hang on, it must continue to aid whatever batch of generals or politicians is

on top at the moment. The alternatives are to strengthen American forces and do more of the fighting for the South Vietnamese, or to get out. It is President Johnson's move.

Mr. MORSE. Mr. President, I ask unanimous consent to insert in the CONGRESSIONAL RECORD an editorial published in the St. Louis Post Dispatch of December 27, 1964, entitled "What Kind of Regime?" It is a very keen analysis of the corrupt regime that prevails in South Vietnam.

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

WHAT KIND OF REGIME?

A news dispatch from the Far East the other day raised the question of whether the United States is justified in insisting on a civilian government in South Vietnam in view of the fact that Asians generally are not politically mature enough to fulfill all the demands of democracy.

It was pointed out that parliamentary democracy works in India, Japan, the Philippines, Malaysia, and Ceylon, all of which, excepting Japan, had long experience with Western teaching. Japan developed independently. But of the others, mainland China, North Korea and North Vietnam are Communist controlled, and there are military regimes in South Korea, Thailand, Burma, and Pakistan. Formosa, Indonesia, Laos, and Cambodia have outward democratic forms, but are authoritarian.

It is certainly true that self-rule is an advanced concept, outside the frame of reference of many Asians. Democracy is expensive, and it connotes an informed and politically alert population. But the fact that it is difficult of attainment is no reason why it should not be urged universally by the United States. The United States may often have to settle for less, but it should not be in the business of advocating less.

The United States is right in demanding a civilian regime in Saigon as a condition of support. The reason is that the civilian government, which was cut to pieces a week ago by a group of young military officers, was reasonably representative of the population and was struggling to solidify itself. The United States must be interested in the welfare of the people of a country, rather than their rulers. We have too often made the mistake of supporting dictatorships, military and otherwise.

The excuse is made that Saigon is engaged in a guerrilla war, and needs military direction. But military interests were adequately represented in the duly constituted government of Premier Tran Van Huong. The overall policy direction of the civil war, as well as the negotiations for the eventual peace, should be in the hands of civilians.

There is also a practical reason why the United States should not support the military clique that seems to be dominant in Saigon at the moment. Its leadership is likely to be transitory, and there is no evidence that the military can do better than the civilians. The dictatorial Diem regime was overthrown 2 years ago by the military. The soldiers failed to establish a viable government. There have been six upheavals in the last 14 months. One of the regimes that went under was headed by Lt. Gen. Nguyen Khanh, who was highly regarded by the United States: He is still chief of the armed forces, but he failed to attract popular support as Premier.

So those who advocate a military regime for Saigon ask for what has already proved a failure, and more than once. And they ask the United States to desert principles for expediency. We cannot and should not dictate the form of another country's govern-

ment, but we can and should encourage governments that are responsive to the will of the people.

Mr. MORSE. Mr. President, I ask unanimous consent that there be inserted in the CONGRESSIONAL RECORD an article from the New York Journal-American of December 29, 1964, entitled "We've Had It."

It covers not only the views of the editor on the South Vietnam subject, but also his views on our shameful policies in giving further support to Nasser in Egypt, as well as the views of the editor in regard to the assessment crisis in the United Nations.

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

WE'VE HAD IT

Because we've been a Nation of even temper, controlled strength and persistent peaceful purpose, we've endured for years a vicious kicking around. Our patience and generosity have misled certain high-handed and low-minded adversaries into the blunder of regarding us a namby-pamby, wishy-washy, faltering paper tiger.

There are indications in Washington at long, long last we're near the turning point.

It's time to get tough. Being tough doesn't mean being rough. It means that enough is enough. We're fed up. We've had it.

Frustrated by our insistence on a civilian government if our cooperation is to continue, General Khanh who yearns to be South Vietnam's military overlord with his army in full charge, suggests the Yankee pack up and go home. Leaving Vietnam may not be a bad idea. But not to go home, which would be to abandon southeast Asia.

We are not there to take care of South Vietnam but to stop communism.

We can move over a bit to friendly stable Thailand and its fine American-trained Air Force, fine airfields and deep-rooted concern over possible Communist aggression. Thailand is a nation of proud independence. Thailand would be a convenient replacement for our South Vietnam futility. We could even continue providing Saigon with some arms, fuel and economic aid and let Khanh and his stripe squirm in their barrel of worms.

We have squandered millions on aid to Egypt and Algeria.

These ingrates lead the malicious chorus of vituperation over our part in rescuing hundreds of beleaguered people from the murderous savagery of the Congolese rebels.

Our Embassy library in Cairo is burned. President Nasser rejects our protest against the wanton killing of two civilians in an unarmed commercial American plane. He brags of sending arms to the Congo rebels, and when we object in the U.N. he accuses us of "interfering" with Egypt's foreign and domestic policies.

OK—let us cease interfering completely. A few years ago we saved this crummy dictator's neck by interfering—on his side—when our good and old friends, Great Britain and France, decided to take over the Suez Canal.

We badly ruffled our allies' feelings, but did we get any credit or thanks from or make a friend of Nasser? No, indeed.

As a matter of fact were it not for the stubbornness of John Foster Dulles, we would have sunk heaven knows how many of the American taxpayers' dollars into the Aswan Dam. Dulles in effect said "not for or by a dam site."

So let's leave Nasser alone, as he demands. We can, and should cut off economic aid to him.

Let Nasser turn to the Congolese rebels for his food supply.

And the same goes for Algeria and other nations whose dictators play the same game. Russia owes the United Nations \$52.6 millions toward the cost of the Congo and Middle East peacekeeping operations.

She has owed it more than 2 years.

Moscow has refused to pay. A compromise, face-saving for Russia, has been proposed, involving a special fund to which Russia could contribute. We are willing to go along with the arrangement, which Russia continues to spurn.

Article 19 of the U.N. Charter says a member more than 2 years delinquent in payments is to be deprived of its Assembly vote. We didn't write the book. But we subscribed to it. Russia subscribed to it.

It's time to cut out the dillydallying and go by the book. No rubles, no representation. In plain English, put up or shut up.

And if the U.N. Assembly does not stand by this, then, of course, should we continue to pay our share?

The Hearst newspapers long have advocated a harder line in our foreign policy. It's time to take an unyielding stand toward our adversaries and our make-believe friends. It's the American way to be enduring, to suffer even continuing frustrations in our hope of eventual restoration of reason over madness. But the limit has been reached.

Its time now to be tough. Its time for a new broom to sweep clean. Let that be our resolution for the new year.

THE FLOOD DISASTERS IN THE PACIFIC NORTHWEST

Mr. MORSE. Mr. President, I wish to call the attention of the Senate to the great calamity which has struck the west coast.

Tomorrow, the Members of the Oregon congressional delegation in both Houses will introduce in each House the first of what may probably be a series of bills seeking to use the services of the Federal Government and the appropriations of the Federal Government to alleviate, to the extent that it is possible under the law, the great human suffering and heavy losses that the people of the west coast have suffered in the recent past.

The hour is late, and I shall be discussing this subject matter at other times in the Senate as we take up necessary legislation. But there are a few points I wish to make hurriedly.

First, let me express my thanks and my commendation to the Governor of the State of Oregon—Mark O. Hatfield—for the diligence and dedicated public service he has rendered to the people of my State during these days of travail in Oregon.

Under existing law, as Senators know, the first responsibility when a disaster strikes a State rests upon the shoulders of the Governor, to determine the extent of the disaster and to determine whether it is of such proportions that it meets the criteria necessary to declare an area a disaster area, and then to issue a proclamation to that effect and notify the Federal Government.

Immediately upon the breaking of this terrible and horrible tragedy upon the people of not only my State but also parts of the States of Washington, California, and Idaho, the Governor of Oregon reached me by telephone and described the situation and stated that he would remain in frequent contact with

me in my position as head of the Oregon delegation, and would keep me advised and the other Members of the delegation—through me—advised, as to the tragedy and its extent.

He did that. I, of course, in turn, on behalf of myself and members of the Oregon delegation, pledged to the Governor that we would do everything we could to be of maximum assistance to him and to the people of my State.

The Governor declared the State a disaster area under the requirement of the law, and transmitted the proclamation to Washington. We assisted in having it processed in less than 2 hours, because the Federal officials had already been aware of the situation in Oregon and had sent Federal officials into the State and knew whereof the Governor spoke.

The declaration was approved at the administrative level and then rushed by plane to Johnson City for the consideration of the President of the United States. It was only a matter of formality, for the President had already fully informed himself in regard to the crisis and had signed the Federal order immediately. Since that signing, the area has been a disaster area, including also parts of Washington, California, and Idaho.

This afternoon, I have not recited the extent of the losses, the damage and the suffering, except to say that this tragedy has been unequalled in the history of my State. Oregon has had nothing like it in all its history. That is because of a combination of natural circumstances—often described as resulting in "acts of God" which produced this terrible flood—that we had a long, hard freeze, which is not common in our State. Many Senators know that the Willamette Valley, where the greatest loss occurred—although it spread, too, into many other parts of the State—is an area that seldom gets snow in the winter. The ground is seldom frozen. The pastures are used the year around. We have heavy rains, but the freeze that occurred—and it was a hard freeze—made the ground so hard that the water could not be absorbed into the ground and it just flowed off. It was followed by a very heavy snow in the mountains.

Then, more bad luck was added by what we call a Chinook rain or thaw immediately following. A Chinook rain or thaw—an old Indian term—is a very sudden rise in temperature bringing warm rain which melts the snow at a rapid rate and develops flood.

The waters of part of the Willamette Valley at times were 12 feet above flood crest. Later, I shall discuss the great benefits that the people of our State enjoyed in these days of tragedy as the result of existing public works developments in the form of dams built by the Army Engineers, and dams and reclamation projects built by the Bureau of Reclamation.

My hometown of Eugene was very fortunate. Some loss occurred there, of course. But compared with other parts of my State, the loss in Eugene was de minimus. That was because the dams

which had been built in that area of the Willamette River were sufficient to hold back the water so that the Willamette River did not overflow its banks to the degree it overflowed them farther down.

The capital city of my State, Salem, and the surrounding area, suffered great losses. The last report I had was that 27 major bridges had been washed out. For days, every major highway in the State was closed. Road damage rose to unbelievable proportions. A good many of our lumber mills—the main source of employment in my State—are located on or near river banks and a good many of those mills were washed out. Access roads to commercial timber stands were also destroyed.

I shall insert in the RECORD and discuss in the days to come the evidence which is being supplied me daily, as to what this flood has done to the economic life of my State from the standpoint of employment alone, due to the damage that the lumber industry has suffered.

Thus, I could go on and point out the great damage to houses—houses washed away, houses ruined, livestock losses which were tremendous; but the country knows and the Senate knows whereof I speak.

The Oregon delegation, along with the Washington, California, and Idaho delegations, are all deeply concerned over the great losses which were sustained from this terrible tragedy.

Tonight, we are all greatly concerned because the reports that we have been receiving during the day indicate another flood stage is developing. There is great concern that there may be an additional major tragedy, although the last report I had from Salem gave some hope that the waters might start receding in a matter of hours.

I know that the committees of the Congress are going to be anxious and willing to be of assistance; yet, as the senior Senator from my State and speaking in behalf of my junior colleague and also in behalf of my colleagues on the House side, both Democrats and Republicans, I can say tonight that speed and time are of the essence in this matter. The matter of emergency assistance which is being obtained under the emergency program is going forward at a rapid rate. I have not the slightest criticism about the highest of praise for the response of the Federal Government.

One could not have received more sympathetic and helpful cooperation from the President of the United States than the Oregon delegation has received in regard to this Pacific coast disaster. But the Congress has an obligation—and I know it will assume it—of proceeding with dispatch in passing whatever implementing legislation is necessary to make available Federal assistance to the people of my State and the other States involved. In a good many instances we shall have to make low-interest rate loans available to help rehabilitate the economy, to get men back to work, and to try to restore the economic damage that the State has suffered, and we will have to appropriate these funds promptly.

As I indicated heretofore, the December flood in the State of Oregon was one of the most devastating floods in its recorded history. The damage inflicted upon private and public property totaled hundreds of millions of dollars, and many lives were lost in the floodwaters. There were more than 20 lives lost in my State. The total loss of life in the whole area may reach 40.

Mr. President, Federal and State officials responded promptly with help in the flood-ravaged areas, and they are to be commended for the remarkably fine job they did under difficult and trying circumstances.

I repeat that I do not see how anyone could have done more in carrying out the duties of his office than the Governor of our State did. He and I agreed that I could be of the greatest assistance if I stayed on the Washington, D.C., end of the telephone line. I sent to Oregon my administrative assistant, Mr. Berg, and made available to the Government my executive assistant in Oregon, Mr. Charles Brooks.

I also made available to the Governor a very close associate of mine in public life in Oregon, Mr. Ed Spencer, the postmaster of the post office at Salem and the former State chairman of the Democratic Party. Governor Hatfield, Travis Cross, an assistant to the Governor, Warne Nunn, also an assistant, and the Governor's other associates extended every possible cooperation to my assistants as they worked together in connection with the governmental problems that were involved in the tragedy.

Much remains to be done before we can say that we have done everything humanly possible to help those who were the hardest hit by the flood. My colleague [Mrs. NEUBERGER] and I and the entire Oregon delegation in the House of Representatives are working intensively to ascertain the extent of additional funds required by Federal agencies to continue their programs to reduce the impact of the flood on Oregon's citizens and the public facilities of the State.

Today we issued a press release explaining the nature of our work in that respect. I ask unanimous consent that the text of the release be printed at this point in my remarks.

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

Members of the Oregon delegation in the Congress are surveying the entire range of Federal assistance programs available to the flood-stricken areas of Oregon to determine the amount of additional funds Government agencies will require to meet the staggering needs.

In a joint statement today, Senators WAYNE MORSE and MAURINE NEUBERGER, Representatives EDITH GREEN, AL ULLMAN and ROBERT DUNCAN reported that conferences are being scheduled with the Bureau of the Budget and the President's Office of Emergency Planning.

Detailed and expanded contacts are being made with all Federal agencies that could be of any assistance in extending aid to flood areas, including the Department of Interior, Department of Agriculture, Army Corps of Engineers, Small Business Administration, Housing and Home Finance Agency, and others whose programs could be used

to reduce the impact of the floods and storms on the lives and businesses of Oregon citizens.

Delegation members are also working with the Federal agencies to determine what additional congressional authorization might be needed to speed and make more effective such agency programs in the flood-swept areas of the State. The members pledged that everything is being done and will be done to get all the Federal assistance possible for Oregon's flood areas.

Mr. MORSE. Mr. President, the severity of the damage in Oregon warrants immediate study, not only by Federal agencies, but also by the Congress. Therefore, I cannot urge too strongly that an appropriate committee of the Senate send committee and staff members to the west coast to study the needs and make recommendations to the Congress concerning funds and additional legislative authorizations that will be required for reducing to some extent, the impact of this disaster in Oregon and a number of other Western States.

Mr. President, the entire Oregon congressional delegation is working on legislation designed to help our State in connection with this great disaster. When this legislation is introduced, it is our earnest hope that it will have prompt action in committee and in the Senate. The needs are great, and we are sure the Congress will respond.

ADJOURNMENT

Mr. CURTIS. Mr. President, I move that the Senate adjourn, under the order previously entered, until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 12 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Thursday, January 7, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 6, 1965:

THE JUDICIARY

Manuel L. Real, of California, to be U.S. attorney for the southern district of California for the term of 4 years. He was appointed during the recess of the Senate.

DEPARTMENT OF INTERIOR

John A. Carver, Jr., of Idaho, to be Under Secretary of the Interior, to which position he was appointed during the last recess of the Senate.

DEPARTMENT OF COMMERCE

John T. Connor, of New Jersey, to be Secretary of Commerce.

FEDERAL TRADE COMMISSION

Mary Gardiner Jones, of New York, to be a Federal Trade Commissioner for the unexpired term of 7 years from September 26, 1959, to which office she was appointed during the last recess of the Senate.

DEPARTMENT OF INTERNAL REVENUE

Sheldon S. Cohen, of Maryland, to be Commissioner of Internal Revenue, vice Mortimer M. Caplin, resigned.

TREASURY DEPARTMENT

Mitchell Rogovin, of Virginia, to be an Assistant General Counsel in the Department of the Treasury (Chief Counsel for the Internal Revenue Service), vice Sheldon S. Cohen.

Frederick Lewis Deming, of Minnesota, to be Under Secretary of the Treasury for Monetary Affairs, vice Robert V. Roosa, resigned.

VETERANS' ADMINISTRATION

W. J. Driver, of Virginia, to be Administrator of Veterans' Affairs, to which office he was appointed during the last recess of the Senate.

COUNCIL OF ECONOMIC ADVISERS

Arthur M. Okun, of Connecticut, to be a member of the Council of Economic Advisers, to which office he was appointed during the last recess of the Senate.

NATIONAL COMMISSION ON TECHNOLOGY, AUTOMATION, AND ECONOMIC PROGRESS

The following-named persons to be members of the National Commission on Technology, Automation, and Economic Progress, to which office they were appointed during the last recess of the Senate:

Benjamin Aaron, of California.
Joseph A. Beirne, of Maryland.
Daniel Bell, of New York.
Howard R. Bowen, of Iowa.
Patrick E. Haggerty, of Texas.
Albert J. Hayes, of Maryland.
Anna Rosenberg Hoffman, of New York.
Edwin H. Land, of Massachusetts.
Walter P. Reuther, of Michigan.
Robert H. Ryan, of Pennsylvania.
John I. Snyder, Jr., of New York.
Robert M. Solow, of Massachusetts.
Philip Sporn, of New York.
Whitney M. Young, Jr., of New York.

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons, who were appointed during the last recess of the Senate, to the offices indicated:

Ben H. Brown, Jr., of South Carolina, a Foreign Service officer of class one, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Liberia.

William A. Crawford, of the District of Columbia, a Foreign Service officer of class one, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Rumania.

The following-named persons, who were appointed during the last recess of the Senate, to the offices indicated:

Ralph A. Dungan, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Chile.

William H. Sullivan, of Rhode Island, a Foreign Service officer of class one, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Laos.

The following-named persons, who were appointed during the last recess of the Senate, to the offices indicated:

Now Foreign Service officers of class two and secretaries in the diplomatic service, to be also consuls general of the United States of America:

Antonio Certosimo, of Arizona.
Philip H. Chadbourn, Jr., of California.
William B. Connitt, Jr., of New Jersey.
Livingston D. Watrous, of Massachusetts.

Now Foreign Service officers of class three and secretaries in the diplomatic service, to be also consuls general of the United States of America:

Frank C. Carlucci, of Pennsylvania.
Charles Gilbert, of Florida.
John L. Hagan, of the District of Columbia.

For appointment as Foreign Service officers of class three, consuls, and secretaries in the diplomatic service of the United States of America:

John P. Condon, of Oklahoma.
Herbert G. Ihrig, Jr., of Washington.

For appointment as Foreign Service officers of class 7, vice consuls of career, and secretaries in the diplomatic Service of the United States of America:

1965

A47

the passing 22 years ago of one of America's greatest scientists, most unusual teachers, and most unselfish contributors to the welfare of our people. It is with pride in an eminent fellow American and with gratefulness for his inspiring example that I rise to pay him tribute.

By the time of his death George Washington Carver, the son of Negro slaves, had gained international renown for his work in the field of agricultural research. He was unexcelled as an agricultural chemist, and he, probably more than any other single human being, had enabled the South to lift itself from despair and poverty by overcoming the destructive tyranny of a one-crop policy.

Born in Missouri about 1864, he was kidnaped as a baby and redeemed by a master in exchange for a \$300 racehorse. By the age of 10 his master, recognizing the boy's intelligence, permitted him to leave in search of schooling and the youth set out penniless to acquire an education.

He worked his way through grade school in four nearby towns, through high school in Minneapolis, Kans., and for 3 years attended Simpson College in Iowa. Then, at the age of 32, in 1896, his years of struggle and patience won him a master of science degree from Iowa State College at Ames.

It is to the great credit of these schools that they did not make race or color the basis for entrance, for in extending education to young Carver they helped to mold one of America's most remarkable figures.

Dr. Carver was a modest man. I suggest that he would want us to use his life as an example of what this world might be like if there were equality of education for all citizens.

He became more than a good agricultural chemist. He became a superlative botanist, a teacher of great stature, an extraordinary inventor, a profound scientist, an unexcelled pioneer in the application of chemistry to industry, and an unselfish, devoted humanitarian. When he said these words, he genuinely and humbly felt them:

There is goodness in everything * * *. I am only a trailblazer for those who come after me.

This trail that Dr. Carver was to blaze led him first to become director of the department of agricultural research for the Tuskegee Institute at the request of Booker T. Washington. It was here in a poorly equipped laboratory that he began the astonishing series of creative experiments that brought him fame.

Recognizing the soil-exhausting effects of cotton, Dr. Carver began preaching crop rotation to the depressed Alabama farmers. In his soft, shy manner, he urged them to alternate with soil-enriching crops such as peanuts and sweet-potatoes. As the South slowly heeded his advice, he worked endlessly in search of new uses for the products that were soon to become surplus foodstuffs.

In his laboratory he developed some 300 synthetic products from peanuts, including milk, butter, cheese, coffee, flour, breakfast food, ink, dyes, soap, wood stains, and insulating board. His efforts lifted the peanut industry from a lowly

state to a multimillion dollar yearly business.

From the sweetpotato he developed 118 products, such as tapioca, starch, vinegar, molasses, library paste, and rubber. He used pecan nuts, soybeans, cotton, cowpeas, and wild plums to produce valuable new products. He made synthetic marble from wood shavings; dye pigments from Alabama clays; mats and carpets from okra fiber, and fertilizers from the muck of swamps.

His output was phenomenal and he might easily have become a millionaire. But Dr. Carver steadfastly refused to exploit his discoveries, gifts he felt to be from God. His discoveries became the world's property, and to him, as to all great teachers, the reward lay in the thrill of expanding man's horizon. He put it very simply:

Whatever helps the southern farmer helps the entire South. And what helps the South helps everybody.

Dr. Carver's was a natural humility. He considered his abundant talents to be a sacred trust. The harshness of his early life did not embitter him nor did the honors of his later life make him arrogant or proud.

In 1953, his birthplace in Missouri became a national monument. A bronze bust immortalizes the man who, born a slave, became a scientist, a pioneer, and a benefactor of his country. It is proper that we remember him, and we do so in gratitude.

Short Sight in Washington: Men of Vision Created Imperial

EXTENSION OF REMARKS

OF

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 1965

Mr. BOB WILSON. Mr. Speaker, as a native of the great Imperial Valley of California, I have always followed with interest its tremendous progress as one of the most important agricultural regions of the country. For this reason, I include in the Appendix the following editorial:

[From the San Diego Union, Jan. 2, 1965]
SHORT SIGHT IN WASHINGTON: MEN OF VISION
CREATED IMPERIAL

It took big men with courage, vision, and fortitude to make an agricultural mecca out of the United States last frontier in Imperial Valley.

They came to the valley when it was bone dry. They suffered privation, hardship and want in a vast, sprawling desert region hostile to man. With their imagination, initiative, and calloused hands they conquered the region and made it a showcase for farming.

Now men of Washington would undo all of this with strokes of a bureaucratic pen.

Meddling bureaucrats told Imperial Valley farmers and ranchers they cannot have water unless individuals own only 160 irrigated acres each.

In Imperial Valley, water is life itself. The sudden Department of Interior dictum on land ownership overlooks water rights dat-

ing back to first settlement of the valley, a superior court decision, and a ruling of then Interior Secretary Ray L. Wilbur in 1933.

The decisions held that the 1902 Reclamation Act did not only apply to lands with water rights already under cultivation, such as those in Imperial Valley. To have held otherwise would have been an ex post facto decision.

A solid foundation and the 1902 decisions gave Imperial Valley the impetus to prosper and make full use of the All American Canal for irrigation. For 31 years no official voice was raised in protest.

Now the Secretary of Interior has ruled that the 160-acre limitation must apply, whether or not the area is large enough to form an economic farming unit.

It must be assumed that regardless of who owns how much land the total water use in the 430,000-acre irrigation district is the same. What then are the underlying motives of the Secretary of Interior to make his move at the present time?

Isn't it strange that the Department of Interior decision on Imperial Valley came at a crucial time in California's negotiations to keep its rightful share of 4.4 million acre-feet of water annually in perpetuity from the Colorado River?

California claims this right is inherent in any discussion of a Pacific Southwest regional water plan, which is a significant fact. Secretary of the Interior Udall only wants the right to exist 25 years.

This is the second body blow the Federal Government has dealt Imperial Valley farmers this year. The first was a decision not to renew the bracero migrant labor program which is so important in harvesting valley crops. These are strange acts from a government which says it is trying to help agriculture.

Mr. Udall's decision for Imperial Valley is blatantly political leverage and an insult to all Californians. The full force of official, legal, and public opinion must be brought to bear to make him back down.

Wheat and Our Hopes

EXTENSION OF REMARKS

OF

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 1965

Mr. SHRIVER. Mr. Speaker, within the past few days the head of the United Arab Republic in strong language denounced the United States which has provided food and economic assistance to his country. This was another in a series of incidents which point up the urgent need for a complete reappraisal and reevaluation of the United States foreign aid program.

Under the leave to extend my remarks in the RECORD, I include the following editorial from the Wichita, Kans., Eagle which appropriately places the arrogance of Nasser in a proper light, while at the same time focusing attention on a general misgiving of the American public regarding our whole policy of foreign aid. The editorial follows:

WHEAT AND OUR HOPES

Only days ago Egypt's Nasser was telling Washington to go to hell, or the Arabic equivalent of that. Now the newspaper, Al Ahram, the organ of his regime, says Egypt is "by no means a party to an inexorable

enmity either with the American people or their Government."

Why the abrupt change? The only reason anyone has thought of up to now is our decision to ship \$17-million worth of surplus wheat to the hungry United Arab Republic. This, said Al Ahram, was "an initiative worthy * * * of being pondered upon and encouraged."

All of which probably doesn't mean much, although American diplomats in Cairo are reported to be "encouraged" by the softening of the official line toward the United States.

If the diplomats are pleased, there is some evidence that the American public, or much of it, is not. A sampling of opinion in Wichita showed opinion running heavily against sending wheat to Nasser in light of his outburst. And there exists among many of us a deeper misgiving about our whole policy of foreign aid, which often seems to benefit most the people who like us least.

The policy is based upon the conviction that communism and disorder feed on hunger and deprivation, and that if we can contribute enough of our bounty to the world's underdeveloped nations we can create an economic stability and a sense of individual well-being that will diminish enmities and bring more concord into international affairs.

It is an approach that is both hopeful and humane, but it would be easier to support it if there was more evidence that it is working. It has been in effect for 20 years, and its proponents can say only that perhaps it has helped to keep our differences from flaring into war.

Everyone has conceded that it will require a great deal of time and patience to establish anything approaching world peace. It may be that if a shipment of wheat will ease a Nasser's anger for the moment that is the best we can hope for on a short-term basis.

Death Quiets Critic of Wierd Viet War

EXTENSION OF REMARKS OF

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 1965

Mr. ROUDEBUSH. Mr. Speaker, several months ago, prior to the October 3, 1964, adjournment of the 88th Congress, I received a disturbing report on the lack of adequate ammunition and weapons for American fighting men in South Vietnam.

As the report came from a military man with firsthand experience in South Vietnam, and a fine service record, I regarded the information as accurate and factual.

American servicemen bartering for ammunition and using second-rate equipment seems incongruous with a \$50 billion annual defense budget.

The Secretary of Defense immediately issued a denial, maintaining ample ammunition is available and the latest equipment is being used.

Since that time there have been other reports of lack of ammunition and obsolete weapons, including the discovery that some World War II first-aid kits had been issued in South Vietnam, with rusted safety pins, mildewed gauze bandages, mildewed first-aid dressings, waterstained and unusable adhesive

tape, iodine swabs banned by the Army Surgeon General and tourniquets ordered destroyed in 1951.

The latest story of obsolete weapons appeared in the Thursday, December 24, 1964, edition of the Indianapolis Star.

It was a report from an Army captain who had been killed in action on December 12, 1964. The captain's letters told of obsolete weapons highly dangerous to fire that could explode in a man's face.

It is a shocking report by a career soldier with no ax to grind with the Defense Department.

Every Member of Congress will want to read this Associated Press dispatch, which, under unanimous consent, I publish in the RECORD in its entirety.

The story follows:

DEATH QUIETS CRITIC OF WEIRD VIET WAR—
YANK FOUGHT REDS, BUREAUCRACY

(By Charles Stafford)

BRADENTON, FLA.—Capt. John King's war was "long periods of boredom interrupted by short periods of intense hell."

His was wornout weapons, loneliness, an enemy that melted away, waste, leaders who he said sought advice but didn't heed it, a superior who he said refused to forward his critical report.

Capt. John King died December 12 in South Vietnam, a bullet through his head.

He was a Bradenton man, the son of Mrs. Thomas J. Brooks and John H. King. He enlisted at 17, fought in Korea, rose from private to captain in 15 years. He had a wife and five children in Sebring. Mrs. King is expecting a sixth child next month.

At 32, John King was a career soldier. His war came to life in the letters that arrived at the home of his mother and stepfather following his arrival in Saigon in late September. It ended with a telegram.

October 3: "Indications are that we are going to win here, but not overnight.

"It will take some time. If we lose this country, which is the entry into southeast Asia, there will be no telling what else will go to the Reds."

October 10: "On your question of Christmas, there is nothing I can think of that I need. I would appreciate your just adding whatever you planned spending on me to the children's Christmas.

"It certainly is lonesome here for some reason. I guess it's because everybody is so intense and continually looking over their shoulder."

October 28: "The area that I am in is way down in the delta. Because of the size of our force, we are fairly secure inside the bounds of the Kien Long district. However, we are completely surrounded for miles by the Vietcong. So the only way into this area and out is by helicopter * * *."

"We go in battalion-sized search and clear operations daily. So far we have encountered very few enemy as they keep moving away from us. They will not fight unless everything is in their favor."

November 5: "I received the hunting knife you sent me. The knife is just exactly what I needed and certainly will come in handy for many things, primarily to eat with and find water on the trails. When we run out of water, we need a sharp knife to cut through heavy vines and bamboo to steal the potable water stored in these fellows."

About mid-November, King wrote his sister, Mrs. Roy Howell, of Bradenton. There was nothing unusual about it, except that it included a page from another letter, which presumably had been meant for a friend in service.

It read, in part—

"These weapons are completely worn out * * *. I can take an unexpended 30-

caliber round of ammunition and drop it through the muzzle end of the barrels of our M-1 rifles and it will fall out the breech end of the barrel with little or no resistance. The same holds true for the carbines, Thompson submachine guns, 30-caliber machine-guns. Many parts essential to the functioning of our weapons are missing * * *. I have written my superiors on two different occasions explaining the condition of the equipment that we must fight with and have attempted to solicit help to rectify this, as these weapons are highly dangerous to fire and could easily explode in a man's face * * * so far nothing has been done."

November 19: "There has been very little going on here in the way of a war. * * * They [the Vietcong] seem to have evaporated from this area. That doesn't make me unhappy mind you but our intelligence, such as it is, keeps telling us that they're here, but we haven't made a contact in better than a week.

"I guess this is just like, or similar to, Korea in that we are plagued with long periods of boredom interrupted by short periods of intense hell * * *."

"The United States is wasting millions of dollars a year having advisers here. These people don't know—they don't know, and are either too proud or too stupid to admit it * * * they listen to our advice and agree that we are right, and go right ahead and execute operations that violate every basic principle of tactics * * * the only way this war will ever be won is the United States to step in and say our advisers are going to plan every tactical operation at every level of command * * *."

"Please do not publish anything I've said here, at least not now. Ha Ha."

November 26: "We arrived here in Viet Nam after 4 days of traveling * * * the third day was by far the most hectic for us. We covered 14 miles of jungle, rice paddys, and canals completely dominated by Vietcong. Every trail and road was saturated with mines, boobytraps, and sniper fire; * * * during this move we had 1 man killed and 11 wounded, all due to mines and boobytraps."

December 1: "I'm in what appears to be hot water at the present time. I'm not sure how serious it is, but I believe I have the right people behind me * * * you see, at the end of each month, I must prepare a written statistical and command valuation of the battalion I'm advising. That I did for the month of November, based on factual, recorded observation maintained by myself and Sergeant Jones in each day's operation."

"For the report to be of any value, it must be truthful and accurate and this is the manner in which I prepared my report * * * all the essential and important parts of the report had to be rated unsatisfactory, showing the battalion commander and his unit to be ineffective * * *."

"Well, my immediate superior * * * will not forward my report to division. He obviously does not want the truth to be known as my report goes all the way to Washington, D.C. I have refused so far to lie, so as to make him and his counterpart look good, for if I do this there is no reason for any of us being here trying to advise and risking our lives each day. Colonel Preston * * * is behind me so far. We are having a big meeting on this subject tomorrow. If I don't win tomorrow, then I guess I'm in for trouble."

December 12: "The Secretary of the Army has asked me to express his deep regret that your son, Capt. John E. King, died in Vietnam on December 12, 1964, as the result of hostile action * * * he was accompanying Vietnamese army when they were ambushed and attacked."