

Congress and the War - 3

Dec. 18, 1970

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Congress and the Indochina War: 1970 Chronology

Feb. 2. Senate Foreign Relations Committee made public a report, "Vietnam: December 1969," criticizing the Administration's Vietnamization policy. (*Weekly Report* p. 336)

Feb. 18. The President issued a 40,000-word message to Congress, "U.S. Foreign Policy for the 1970s: A New Strategy for Peace." (Text and summary, *Weekly Report* p. 509)

Feb. 25, 26, 27. House Appropriations Subcommittee on Defense heard a report on the Vietnamization progress from Defense Secretary Melvin R. Laird. (*Weekly Report* p. 684)

March 6. President Nixon lifted the official lid of secrecy on U.S. military involvement in Laos with a 3,000-word statement which drew sharp comment from members on the Senate Foreign Relations Committee. (*Weekly Report* p. 761)

April 12. After a delay of more than five months, a Senate Foreign Relations Committee Subcommittee released a censored transcript of closed hearings held in October 1969 on U.S. military involvement in Laos. (Fact sheet, *Weekly Report* p. 1243)

April 30. President Nixon announced that American troops had been sent into battle in Cambodia. (*Weekly Report* p. 1151)

May 2. Senators George McGovern (D S.D.), Harold E. Hughes (D Iowa), Alan Cranston (D Calif.), Charles E. Goodell (R N.Y.) and Mark O. Hatfield (R Ore.) announced plans to offer an amendment to eliminate spending for military operations in Vietnam, Laos and Cambodia by the end of 1970. (*Weekly Report* p. 1208)

May 5. A May 1 Senate Foreign Relations Committee report on a resolution (S Con Res 64) to repeal the 1964 Tonkin Gulf resolution was recommitted to the Committee. (*Weekly Report* p. 1207)

May 6. House passed a bill (HR 17123) authorizing \$20.2 million for military procurement and research in fiscal 1971 and rejected amendments that would have restricted use of U.S. troops in Southeast Asia. (*Weekly Report* p. 1209)

May 13. The Senate began debate on the Foreign Military Sales bill (HR 15628), the vehicle for an amendment offered by Senators Frank Church (D Idaho) and John Sherman Cooper (R Ky.) designed to prohibit U.S. military activities in Cambodia. (*Weekly Report* p. 1272)

June 6. The Senate Foreign Relations Committee released a report, "Cambodia: May 1970," disputing the military reason given by President Nixon for ordering the intervention into Cambodia and indicating that the military gains were outweighed by the risks of a broadened war in Indochina. (*Weekly Report* p. 1534)

June 24. Senate adopted an amendment to repeal the 1964 Tonkin Gulf resolution. (*Weekly Report* p. 1615)

June 30. The Senate by a 58-37 roll-call vote passed a modified Cooper-Church amendment and the Foreign Military Sales bill. (*Weekly Report* p. 1671)

President Nixon issued a statement on the 60-day U.S. operation in Cambodia stating it had been successfully concluded and that no American ground personnel would re-enter Cambodia in the future. (*Weekly Report* p. 1673)

July 6. A special House committee issued a report on "U.S. Involvement in Southeast Asia" (H Rept 91-1276), after undertaking a two-week fact-finding mission to the region.

July 9. The House rejected a motion to instruct House conferees to agree to the Senate-passed Cooper-Church amendment. (*Weekly Report* p. 1779)

July 10. The Senate Adopted by a 57-5 roll-call vote a concurrent resolution (S Con Res 64) reaffirming the repeal of the 1964 Tonkin Gulf resolution. (*Weekly Report* p. 1777)

Aug. 20, 21. The Senate approved amendments to the defense procurement bill (HR 17123) to deny U.S. allowances to allied troops in South Vietnam, to be any higher than those paid to American troops and to forbid use of U.S. funds to pay foreign troops fighting for Cambodia and Laos. (*Weekly Report* p. 2172)

Sept. 1. The Senate defeated by a 39-55 roll-call vote the Hatfield-McGovern amendment to HR 17123 which would have imposed a deadline for withdrawal of U.S. forces from Vietnam. (*Weekly Report* p. 2170)

Oct. 7. President Nixon in a televised speech proposed a cease-fire in Vietnam and widened peace talks to include nations not present at the Paris peace talks. (*Congressional reaction, Weekly Report* p. 2495)

Nov. 16. The House by a 288-39 roll-call vote passed a joint resolution (H J Res 1355) defining the war-making powers of the President. The bill then went to the Senate. (*Weekly Report* p. 2817)

Nov. 18. President Nixon sent a message to Congress requesting \$1 billion in supplementary foreign aid including \$65 million for Vietnamization and \$255 million in military and economic aid for Cambodia. (*Weekly Report* p. 2834)

Nov. 23. Debate over U.S. policy revived in the aftermath of an attempt to rescue American prisoners of war near Hanoi and large-scale air strikes over North Vietnam. (*Weekly Report* p. 2874)

Dec. 3. The Senate Appropriations Committee added a prohibition against the entry of U.S. ground combat troops into Cambodia when it considered the \$66-billion fiscal 1971 defense appropriations bill (HR 19590). The Senate passed the bill Dec. 8. (*Weekly Report* p. 2933)

Dec. 7. The House approved a resolution (H Res 1282) commending the courage displayed by the official command, officers and men involved in the Nov. 21 attempt to rescue U.S. prisoners believed to be held captive near Hanoi. (*Weekly Report* p. 2937)

Dec. 9. The House Appropriations Committee reported HR 19928, a \$990 million supplemental foreign aid bill for fiscal 1971 including \$255 million for Cambodia. The House by a 249-102 vote passed a bill (HR 19928) authorizing \$990 million in supplemental foreign aid, including \$255 million for Cambodia. (*Weekly Report* p. 2935)

health service areas, with advisory councils on matters of administration at each such level. Local offices would have the responsibility of serving as ombudsmen for the consumer in the health system and of investigating complaints regarding the administration of the program made by consumers or providers in their area. Through its regulations, the Board would guide performance under the program; it would coordinate various activities with the State and regional planning agencies; it would provide an accounting of activities to the Congress; and it would engage in studies and projects for evaluation and for progressive improvements of operations.

The financial operations of the program would be managed through a health security trust fund—similar to the social security trust fund. One-half of the income for the fund would come from Federal general revenue with the other half coming from taxing individual income up to \$15,000 annually, employers' payrolls and non-earned income. Each year, the Board—with the participation of the Advisory Council—would make an advance estimate of the amount available for expenditure—to pay for services, for program development, and for administration—and would make allocations to the several regions. These allocations would be subdivided among categories of services and designated for the health service areas, with participation by the advisory councils. Advance estimates, constituting the program budgets, would be subject to adjustments, as may become necessary, in accordance with guidelines in the act. The allocations to regions and to service areas would be guided initially by the latest available data on current levels of expenditures; thereafter they would be guided by the program's own experiences in making expenditures and by evidences of need toward meeting the program's obligations and objectives equitably throughout the Nation.

Thus, Mr. Speaker, the Health Security Act we submit to the Congress and to the people of the United States differs from all previous proposals for national health insurance. It is not just another proposal for insurance. It is not merely an extension of medicare by stages to everyone. It is not an ill-conceived open-ended design for pumping more dollars into a chronically strained "nonsystem." It is not simply a bigger categorical program for the production of manpower and facilities without creating a system to employ them.

Our program will build for the residents of this country a rational system of national health security. It will not require an increased expenditure of funds, but will instead allow citizens to pay for their medical security during their income producing years in accordance with their level of earnings. The funds which we as a people can afford to provide will finance and budget the essential costs of good medical care. Simultaneously we will strengthen our capacity to deliver health services, and make good health care available without financial hardship for all families and individuals in the Nation.

We take cognizance of the fact that organized medicine shares our concern that America faces a crisis in health care. We know that our goals are the same—to provide adequate health care services for all Americans. We would hope and expect organized medicine to make a substantial contribution in setting up the mechanism for the health security program so that its long years of experience and the expertise of its members would be available for the effective functioning of the program. As lay groups, the various advisory boards and advisory councils established under the Health Security Act would, I am sure, want to rely heavily on the cooperation and advice of organized medicine so as to insure that the highest possible quality of medical care would be available to everyone and that an equitable distribution of available funds would be maintained.

We expect that the introduction of the bill and consideration of its companion that is being introduced in the Senate will spark the most intensive public debate on this subject in 20 years. We are aware that there are several legislative proposals for national health insurance before the Congress. But we hope that in the course of public discussion and congressional debate the all-inclusive provisions of the Health Security Act will be contrasted to the piecemeal approaches of the other proposals. And we hope, too, that our colleagues realizing the seriousness of the health crisis in America will not delay in enacting this measure during the 92d Congress thereby insuring, for the first time in U.S. history, health security for all Americans.

GENERAL LEAVE

Mrs. GRIFFITHS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my speech, and to include extraneous matter.

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

There was no objection.

BANNING U.S. AIR OR SEA COMBAT SUPPORT FOR ANY MILITARY OPERATIONS IN CAMBODIA

(Mr. BINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BINGHAM. I am today reintroducing with additional cosponsors the legislation I introduced last week amending the compromise Cooper-Church provision adopted in the closing days of the 91st Congress so as to ban any "U.S. air or sea combat support for any military operations in Cambodia." This brings to 69 the total number of Members who have cosponsored this measure.

Reintroduction of this legislation today occurs amid renewed reports from Southeast Asia that the administration is violating both its own policy assurances with regard to the U.S. role in Cambodia,

and the intent of the Congress in approving the compromise Cooper-Church language as part of the Special Foreign Assistance Act of 1971. Today's New York Times reports that U.S. military officials in Southeast Asia have worked out a plan by which U.S. military personnel will oversee the delivery and use of military aid to Cambodian troops without assuming the role of "advisers." Such a plan is an exercise in "doublethink" and a clear violation of the spirit and intent, if not the letter, of the Cooper-Church policy.

The argument made by U.S. officials that this program is made necessary by the rapid increase of U.S. military assistance for Cambodia is a perfect illustration of the same cycle of entanglement that we experienced in South Vietnam. It was anticipation of just such entangling developments that prompted some of us in the House to vote against this special military aid to Cambodia. The clear intent of Cooper-Church was to prevent us from repeating the mistakes we made in South Vietnam. That overriding intent was never compromised. Yet, the administration is now again following the same misguided logic, the same path of deepening involvement, in Cambodia that we have lived to regret in South Vietnam.

Reports from Southeast Asia this morning also indicate that American combat forces, carrying weapons and wearing combat boots but otherwise in civilian clothes, have been engaged in operations in Cambodia to rescue helicopters damaged in recent Communist attacks. How will this step be explained away?

Mr. Speaker, we must make clear to the administration, if it is not clear already, that the Cooper-Church language enacted by Congress must be interpreted and observed as a strict ban on direct or indirect U.S. combat support for military operations in Cambodia. That is the intent and purpose of my amendment to Cooper-Church. I strongly urge prompt hearings in the House on this measure so that the House may take prompt action on it before it is too late.

HEW AND SOCIAL SECURITY ARE CHEATING MILLIONS OF MEDICARE PATIENTS BY PAYING ONLY 50 PERCENT OF REASONABLE COSTS INSTEAD OF 80 PERCENT

(Mr. STRATTON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, I take this time this morning to bring to the attention of Members the fact that for some months now the U.S. Department of Health, Education, and Welfare and the Social Security Administration have been seriously shortchanging millions of American senior citizens on medicare rolls, in violation of law, without any public admission or explanation, and with widespread hardship and confusion among one group of citizens least able to defend themselves from this kind of fiscal sleight-of-hand.

It has come to my attention that since last summer Federal medicare officials

have been paying medicare clients enrolled under the voluntary doctors plan, and also under the hospital plan, apparently, only 50 percent of the cost of their doctor bills instead of the 80 percent legally mandated in the medicare law. What is more, they have done this without any public announcement or publicity, without any advance notice to medicare clients and without any rational explanation.

In fact the whole shortchanging operation has been carried out with a degree of secrecy and surreptitiousness that would put even the CIA to shame. Last January 5 I wrote a detailed letter to Secretary Richardson to ask for a full explanation of what was going on, and to this day I have received nothing in writing from either the Secretary or anyone in the Department that would even admit the action that has been under way, let alone give me the legal authority by which they claim to have justified their action.

Unofficially and over the phone I have been told by subordinate officials that last summer the Department instituted a new, and obviously very quiet policy of reimbursing doctors services under which the year 1968 was arbitrarily selected to determine what "reasonable" charges amounted to, rather than fixing them on the basis of current cost-of-living figures.

Now where they get the authority to do this, where they get the legal right to make senior citizens, already more heavily hit by inflation than anybody else, bear the full burden of inflation in the medicare field I am still, 3 weeks after my letter to Secretary Richardson, at a loss to understand. But the practical effect of what the Department has done has been to cheat millions of medicare patients out of 30 percent of the money which Congress authorized them back in 1965 to receive, and which they had a right to expect when they first signed up for the voluntary reimbursement program.

I can only conclude that the Department of Health, Education, and Welfare is trying to balance its internal budget out of the hides of retired American citizens whom it was created primarily to help.

Presumably the Department is also trying to shift the blame for this cruel and underhanded action onto the doctors themselves. But if HEW is aware of what has been happening to our economy in the past 2 or 3 years, or if HEW has done anything at all to order a freeze on doctors' fees under medicare, or a rollback in fee increases, the record is thunderously silent on both points.

Obviously this policy cannot be tolerated and the practice must be brought to a halt. I am presently in the process of drafting legislation designed to do exactly that.

Mr. Speaker, early in January, after I had addressed my letter to Secretary Richardson, there was some nationwide press coverage of the questions I had raised with the Secretary. In response to these published reports I have received many letters from around the country substantiating the charges I had heard, and listing individual cases in point. Under

leave to extend my remarks I include a sampling of some of these letters. Also I include a letter to the Washington Post of November 16, 1970, which prompted my original letter to the Secretary, a copy of that letter, and the Department's replies to me to date.

The material follows:

MEDICARE PERCENTAGES

Recently my father sent to Medicare his current doctor bills amounting to approximately \$100. The check he received from Medicare, which was supposed to cover 80 percent of medical bills, was for a little more than \$30, instead of about \$80 which he expected.

He called the accounting office of the clinic where he receives medical care. He was told they had been getting numerous complaints of the same type.

He then telephoned long distance to the Richmond office which handles Medicare for his area. He was informed that orders had come from the Social Security Administration to pay 80 percent of the rates which were in effect in 1968 instead of 80 percent of the actual bill at 1970 rates, beginning in July, 1970. In effect, instead of paying 80 percent of medical bills, Medicare is now paying only 50 percent.

Social Security gives as an excuse for this policy their effort to induce the doctors to cut their rates. This measure has no effect whatsoever on doctors. A great many of them are probably unaware that this practice is going on. Besides, they still get their money—from the patients rather than from Social Security. The people who are penalized by it are those least able to afford it—the old people on limited fixed incomes. It merely means that these poor old folks are not receiving the benefits they had been led to believe they were entitled to, and were counting on.

As far as I can determine by inquiring of a number of people, this matter has not been given any publicity. None of them had heard it on a news broadcast or read it in a newspaper. In fact, even the people who work at the Social Security-Medicare information office had never heard of it until I called them back to inform them about it after I had talked to someone in the Medicare claims department.

It is obvious that those responsible for this action did not want the general public to know what they were doing. Why was it kept so quiet?

Naturally I do not relish the idea of having more of my salary withheld for social security. However, I do think the people who are still working and earning money are the ones who can better afford it. But in an election year what politician would suggest such a thing? It would be much better strategy to make the poor, sick, retired people pay—without prior notice of this added expense.

FRANCES A. BROWNE.

ARLINGTON.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 5, 1971.

HON. ELLIOT L. RICHARDSON,
Secretary, Department of Health, Education,
and Welfare, Washington, D.C.

DEAR MR. SECRETARY: There came to my attention the other day a rather startling report included in a letter to the editor of the Washington Post with respect to current operations of Medicare, which I am bringing to your attention and which I believe requires immediate and much fuller clarification.

According to this letter, a copy of which is enclosed, the Social Security Administration has ordered its regional offices to repay Medicare accounts, beginning July 1970, at 50 percent of the total bill rather than 80 percent.

Such action would appear to me to be not only contrary to the law but will obviously place very severe hardships on thousands of needy older citizens.

I would appreciate it if you could tell me whether this account is true, and if so why this order was issued.

Furthermore, I would like to know who issued the order, under what rules or regulations or legal authority it was issued, and in particular I would like to know whether, as the enclosed letter suggests, a deliberate effort has been made by the Social Security Administration, to keep this change of policy secret from the American public.

I would also like to know, in view of the recent announcement that Medicare premiums will rise effective July 1971, just what the significance of this action will be for the future operation of the Medicare system. I will be interested in your reply.

Sincerely yours,

SAMUEL S. STRATTON,
Member of Congress.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
January, 8, 1971.

HON. SAMUEL STRATTON,
House of Representatives,
Washington, D.C.

DEAR MR. STRATTON: The Secretary has referred your January 5 letter requesting information regarding the current operation of Medicare, to the appropriate office.

A reply will be forwarded to you as soon as possible.

Sincerely,

JERRY W. POOLE,
Deputy Assistant Secretary for Congressional Liaison.

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., January 14, 1971.

HON. SAMUEL S. STRATTON,
House of Representatives,
Washington, D.C.

DEAR MR. STRATTON: Thank you for your letter of January 5 concerning the method used in determining medical insurance payments under Medicare.

I have asked Robert M. Ball, Commissioner of Social Security, to look into the specific questions you raised. Commissioner Ball will furnish me a report and I will be in touch with you again as soon as I receive it.

With best regards,

Sincerely,

ELLIOT L. RICHARDSON,
Secretary.

PHILADELPHIA, PA.,
January 1, 1971.

HON. SAMUEL STRATTON,
U.S. House of Representatives,
Washington, D.C.:

I am deeply grateful to you for calling public attention to this article appearing in the Philadelphia daily news. Thank you.

Sincerely,

MEDICARE PATIENTS BEING SHORTCHANGED?

Is the Society Security Administration secretly refunding only 50 percent of Medicare charges instead of the legally required 80 percent?

That's the highly pertinent question Rep. Samuel Stratton (D., N.Y.) has bluntly put up to HEW Secretary Elliott Richardson.

In a letter to the latter, Stratton states he had read a "startling report" that the Social Security Administration quietly ordered its regional offices to repay Medicare accounts, beginning July 1970, at 50 percent of the total bill rather than 80 percent.

"Such action would not only be contrary to the law," Stratton told Richardson in a letter, "but will obviously place very severe hardships on thousands of needy older citizens."

January 21, 1971

CONGRESSIONAL RECORD—Extensions of Remarks

boro by his devotion to high principles. These were best exemplified by his determination to make the Sun a servant of the communities which it served. He realized early in his career that a newspaper must be a part of the community in which it lives; that it must support and contribute to that community; that they both will decline or prosper together.

This policy has never changed at the Sun and it will continue as a fitting memorial to this man whose dedication to the responsibilities of his profession guided him throughout his lifetime.

AIR WAR IN CAMBODIA

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1971

Mr. BINGHAM. Mr. Speaker, the air war now being carried on by the United States in Cambodia clearly violates the intent of the Congress in adopting the substance of the Cooper-Church amendment as a part of Public Law 91-652, the Special Foreign Assistance Act of 1971. It also violates President Nixon's own statement of June 30, 1970, that:

There will be no U.S. air or logistic support (for South Vietnamese military operations in Cambodia).

Accordingly, I am today introducing, with the support of 64 of my House colleagues, an amendment to the Cooper-Church provision of the Special Foreign Assistance Act so as to make clear that the prohibition contained in that act must apply to all American combat operations and all American operations in support of combat operations.

The text of our clarified version of the Cooper-Church provision follows, along with a list of the House Members who have joined me in this effort:

REVISION OF COMPROMISE COOPER-CHURCH

Section 7(a) of the Special Foreign Assistance Act of 1971 (PL 91-652) is amended to read as follows:

"Section 7(a). In line with the expressed intention of the President of the United States, none of the funds authorized or appropriated pursuant to this or any other Act may be used to finance the introduction of United States ground combat troops into Cambodia, to provide United States advisers to or for Cambodian military forces in Cambodia, OR TO PROVIDE UNITED STATES AIR OR SEA COMBAT SUPPORT FOR ANY MILITARY OPERATIONS IN CAMBODIA."

LIST OF HOUSE MEMBERS WHO JOINED IN EFFORT

James Abourezk, Bella S. Abzug, Joseph P. Addabbo, Genn M. Anderson, William R. Anderson, Herman Badillo, Bob Bergland, John A. Blatnik;

Edward P. Boland, John Brademas, Philip Burton, Shirley Chisholm, William Clay, John Conyers, Jr., Charles C. Diggs, Jr., John G. Dow;

Robert F. Drinan, Don Edwards, Joshua Ellberg, William D. Ford, Donald N. Fraser, Robert N. Gialmo, Ella T. Grasso, Edith Green;

William J. Green, Augustus F. Hawkins, Ken Hechler, Henry Helstoski, Robert W. Kas-tenmeier, Edward I. Koch, Robert L. Leggett, Torbert H. Macdonald;

Spark M. Matsunaga, Romano L. Mazzoli, Abner J. Mikva, Parren J. Mitchell, William

S. Moorhead, John H. Moss, David R. Obey, James G. O'Hara;

Bertram L. Podell, David Pryor, Charles B. Rangel, Thomas M. Rees, Henry S. Reuss, Teno Roncallo, Benjamin S. Rosenthal, J. Edward Roush;

Edward R. Roybal, William F. Ryan, Ferdinand St Germain, Paul S. Sarbanes, James H. Scheuer, John F. Seiberling, Louis Stokes, James W. Symington;

Frank Thompson, Jr., Robert O. Tiernan, Morris K. Udall, Charles A. Vanik, Jerome R. Waldie, Lester L. Wolff, Sidney R. Yates, and Thomas P. O'Neill, Jr.

JASPER, ALA., PAYS TRIBUTE TO GEORGE "GOOBER" LINDSEY

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1971

Mr. BEVILL. Mr. Speaker, Friday, January 29 is George "Goober" Lindsey Day in Jasper, Ala. The entire day has been set aside to honor Goober, one of Walker County's outstanding native sons.

We are all proud of Goober. He is currently appearing in the weekly television series "Mayberry RFD." He has appeared in several movies and made guest appearances on numerous other television shows. His warmth and spontaneous humor has made Goober a Hollywood favorite. And wherever Goober's busy schedule takes him, he never fails to put in a plug for his hometown and State. He is often referred to as Jasper's one man chamber of commerce.

I am pleased to have the opportunity of extending my very best wishes to George "Goober" Lindsey as Jasper honors him with this special recognition.

Under unanimous consent, Mr. Speaker, I am enclosing, along with my remarks, a newspaper article taken from the Daily Mountain Eagle, of Jasper, which describes the activities planned to honor Goober and lists some of the accomplishments and achievements he has earned during his illustrious career.

LINDSEY'S A BUSY MAN: GOOBER'S NO PLAIN GEORGE

Friday, January 29th is "George 'Goober' Lindsey Day" in Jasper!

The Jasper Area Chamber of Commerce has named it so . . . the Jasper City Commission and Mayor has proclaimed it so . . . but the versatile, warm, TV, movie and recording star, who will be honored on that day, has made it so by being a "one man chamber of commerce" for his beloved Jasper and Walker county, Alabama.

A full day of activities and honors has been planned by the Jasper Area Chamber of Commerce for the day. It includes school, college and plant visitations, motorcades, bands, representations, courthouse step ceremonies and entertainment.

The day will be culminated with a "Favorite Son Award" at the 24th annual membership meeting and banquet of the Chamber to be held at Walker College at 7:00 p.m. with George Lindsey as guest of honor. Tickets for the event are now on sale for chamber members and will be available to the general public after January 12 at the Jasper Chamber office. Who is George Lindsey?

As "Goober", the co-star of CBS TV's "Mayberry RFD," Jasper's George Lindsey

portrays a downhome, goofy, happy-go-lucky character that has become one of the most popular in all of television.

Every Monday night he's just plain "Goober," but the rest of the time he's George Lindsey, a busy and happy man who never misses an opportunity to put in a plug for "Jasper, Alabama."

And those opportunities are many. His recognition as a humorist has made him the demand of such talk shows as "The Merv Griffin Show," "The Johnny Carson Show," "The Mike Douglas Show," "The Jack Bishop Show," and "The Steve Allen Show." As a popular country singer and humorist, George has guest starred on "The Jonathan Winters Show," "Kraft Music Hall," "Laugh-In," "Love, American Style," and numerous visits as special guest star on "The Glen Campbell Show."

He has just finished guest starring on a "Johnny Cash Show," which will be shown in early February, in which he has a 13-minute segment about Jasper.

George made his television debut on "The Jack Paar Show" in 1961. The same year he made his Broadway debut as the comedy lead in the musical "All American" at the Winter Garden Theatre. From there, George received his first movie role in "Fagin Puller," directed by Joshua Logan who had directed "All American."

Last year, George returned to Disney Studios as the voice of the leading character in "The Aristocats," a two-hour animated movie now showing at the Alabama Theatre in Birmingham with an attempt being made to book it at the Jasper Theatre for "George 'Goober' Lindsey Day", January 29th.

Versatility is a definite part of George Lindsey. He has appeared as almost any conceivable character on more than 40 major television shows including "Gunsmoke," "The Alfred Hitchcock Hour," "Stage To The Bottom Of The Sea," "Twilight Zone," and Disney's "Wonderful World of Color." Then came "Goober" on "The Andy Griffith Show," and his co-starring role as "Goober" on "Mayberry RFD."

As a recording star, his first Capitol album "Goober Sings," was so successful that the recording company rushed his second one, "96 Miles To Bakersfield" into immediate release.

George has served as a judge of the "Miss Universe Contest," makes a yearly guest appearance on "The Grand Ole Opry," the annual Country Festival of Music and tours on the midwest rodeo circuit.

Humorist, singer, performer, actor among stars, George's biggest pride is his family: his wife Joy, and two children, George Jr., and Camden Jo, with whom he lives in San Fernando Valley, California. . . . he still reserves a warm spot in his heart for classmates and friends of Walker College, Walker County High and Jasper Elementary school days.

This is the man whom we will claim on Friday, January 29th . . . this is the man who claims us every day of the year. This is George Smith Lindsey!

Jasper, Alabama yields only to "Mayberry RFD" for 30 minutes each Monday night. The rest of the time he's Jasper's Favorite Son."

REFORMING FOREIGN MONEY LABELING PRACTICES

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1971

Mr. PRICE of Texas. Mr. Speaker, I rise to introduce legislation reformatory im-

ported meat and meat products to be labeled "imported" at all stages of the food distribution chain.

Under present laws and regulations, foreign meat imported for manufacturing or processing purposes is normally shipped frozen and in 50- to 60-pound containers. While these containers specify countries of origin, no further special identification is made after the meat itself is processed by U.S. concerns. As a matter of commercial practice, a significant amount of this imported meat is thawed, ground, blended with fat trimmings from domestic beef and then sold over the counter as hamburger. As a consequence of this, when a housewife purchases a package of hamburger at her corner grocery store, she has absolutely no way of determining the kind of meat she is getting for her money.

While on its face this seems innocuous enough, a moment's reflection reveals that the current state of the law does present some undue health hazards for the American consumer. Most obvious is the fact that since the imported meat is normally frozen before entering this country, then thawed for processing, a subsequent refreezing by the ultimate consumer raises potential problems. The very real danger of this is attested to by U.S. Department of Agriculture bulletins which state:

Cook thawed meat immediately or keep for only a short time in a refrigerator. Avoid refreezing thawed meat.

Yet, despite this knowledge of the hazards of refreezing meat, we stand idly by while housewives across the country run that very same risk by refreezing, through their ignorance, packages of hamburger containing previously thawed imported meats.

I am simply appalled, Mr. Speaker, that this condition has been allowed to persist. The public interest has been completely ignored in favor of certain special interests. I say enough is enough. The rights of the American consumer to know what they are purchasing are more important than continuing the privileges of a few to profit from legal loopholes.

I urge my colleagues to expedite approval of this proposal; this is a non-partisan and nonpolitical matter. It should be a major concern to all those interested in maintaining high standards and high quality in the American diet.

ERNEST PETINAUD

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1971

Mr. O'NEILL. Mr. Speaker, one rarely enters the House Restaurant without being warmly greeted by Ernest Petinaud, maitre d' of the House Restaurant and friend to all in Congress.

Yesterday was his 66th birthday and now is the perfect opportunity to express thanks to Ernest for 34 years of superb service and the touch of elegance he has

contributed to the House. He has, over these years, made life more enjoyable, not only for thousands of Members of Congress, but also many friends and visitors to the Capitol. He performs his duties with dignity and charm, constantly striving to maintain perfection. More valuable than his amazing ability to graciously host the dining room is his friendship which he so generously offers to many legislators. Often, it is a soothing word from Ernest that can calm or cheer a weary Congressman.

It has been my personal pleasure to have known Ernest for 18 years. These have been 18 years in which nothing but consideration has been shown to me. I owe many happy moments to Ernest and I know that all in the House join with me in wishing Ernest Petinaud a very happy birthday.

SWAN SONG

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1971

Mr. BOLLING. Mr. Speaker, Kenneth Crawford is at his best in the following column in Newsweek of December 28 in which he philosophizes about some of the events he has covered since he arrived in Washington in the 1920's. It is his last column before his retirement. His observances on the Washington political scene will be missed:

SWAN SONG

(By Kenneth Crawford)

Anyone who has lived as an adult through the last half century aware of what was going on has seen a more history in the making than anyone who ever lived before him. There has been more change, more cataclysm, more invention, more progress in some areas and more deterioration in others than ever happened in any previous 50 years.

Anyone who has been a professional observer of public affairs through this period, most of the time here in Washington, as I have, has never had a chance to be bored. Neither has he had much of a chance to cogitate about the whither of events or to acquire any special wisdom. Anyway, journalists aren't paid to be wise, only to be agile enough to describe what's happening while it happens. It is left to wiser men to think tanks to add it all up. They try, but no two tanks get quite the same answers.

Some thinkers believe that man will commit suicide with the nuclear weapons his ingenuity has provided. Others are convinced that he will destroy his environment to satisfy his cupidity. Still others expect him to breed himself out of living space. A few feel that his ingenuity, cupidity and self-perpetuating urge, the very qualities that threaten him, will also save him, that he will come to see that none of his ambitions can be realized without exercise of restraint. The next 50 years will be crucial.

RESILIENT SPECIES

This being my last column before retirement, I wish I had the prescience to predict the outcome. All I have is a hunch, derived from witness of the past, that man—notably American man—has a future. He is a tough and resilient species. In my time he has been through two world wars and several lesser wars, a Great Depression and uncoun-

ter recession; he has survived Prohibition, flood, hurricane, riot and his own follies. He is not easy to stamp out.

When I arrived in Washington in the 1920s the world was at peace. Coolidge slept in the White House and established Washington correspondents wore spats, carried canes and gave themselves airs. Had there been cooling apparatus, a later development, this Capital would have been as comfortable as it was smug. H.L. Mencken jabbed at complacency from one side and Norman Thomas from the other but nobody so much as said "ouch." Hoover would soon be projecting two cars for every garage.

When Hoover failed to deliver, the laissez-faire bubble burst, materializing Roosevelt and the New Deal. Washington has never been the same since. Neither has the country, nor, indeed, the world. At last it was being recognized that a society run out of frontiers, sustained by an increasingly complex and interdependent economy, had to submit to more government direction and control than it liked if it was to avoid periodic paralysis and chronic chaos.

FAIR PLAY

The second world war interrupted, but did not stop, the Roosevelt revolution. Europe had to be saved from Hitler and was. Few foresaw that Stalin would replace Hitler as a world menace once the war was won. But Stalin did and hot war passed into the cold war that is still going on, much as its ongoing is denied by those determined to see no evil. Meanwhile, the struggle continues to achieve a workable mixed economy, privately run but government manipulated, and a welfare state capable of giving practical expression to the nation's compassion and sense of fair play, much as these sentiments are denied by those determined to see no good.

To some of us who have lived with this struggle over the years, the young and their journalistic spokesmen, who think they invented compassion and sensitivity to public morals, are a little hard to take. Even their ultimate example of immorality, the war in Vietnam, was in its genesis highly, if mistakenly, moral—an undertaking to protect a weak but potentially free nation from a strong but regimented neighbor. We would perhaps be more tolerant of the young if we occasionally paused to remember how we bedeviled the "merchants of death" of the first world war and the national leadership in the Coolidge and Hoover Administrations.

As for myself I am hopeful that my grandchildren will have a decent world to live in and that the nation will muddle through, as it always has. And I am grateful that when I left the campus, a certified B.A. but with no immediately useful equipment except ability to write a declarative sentence, I could think of no way to earn a living except in journalism.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1971

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

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nations" (United States v. Smith, 5 Wheat. 157 (U.S. 1820)).

Thus, as the result of the situation created by the very terms of the convention itself, there is removed from consideration any notion that the treaty, if accepted, will bypass the Congress, or will in itself legislative Federal criminal laws (p. 30-31, Hearings).

Last, Mr. President, I would like to concern myself with the relationship of State jurisdiction in criminal jurisprudence to the genocide convention.

Again I turn to the testimony of Philip Perlman before the McMahon Subcommittee on Genocide in 1950:

"The passage from the case of *Geofroy V. Riggs* which speaks of restraints arising from the nature of Government and the States, and restraint against change in the character of the Government or in that of one of the States, is used as another argument for the existence of a constitutional limitation on the treaty power. It is argued against the convention as a whole that to impose a new body of treaty law which will become the domestic law of the United States is a change in the structure of the relation of the States and the Federal Government, and that to deprive the States of a field of criminal jurisprudence and place it in Federal jurisdiction as to be in violation of the Constitution.

If there were matters of criminal jurisdiction confided to the States so vital to their existence that a change by the Genocide Convention would destroy our dual system of government, conceivably the problem suggested might be more than hypothesis. The fact is quite the opposite. Congress is invested by the Constitution with the power to provide criminal sanctions for offenses against the law of nations, Constitution, article I, section 8, clause 10. It has had that power since 1789, and the States expressly committed that field of jurisprudence to the Federal government. It is therefore of little or no consequence in comparing the effect of the exercise of Federal criminal jurisprudence upon residual State criminal jurisdiction that Congress may exercise its power to punish genocide pursuant to the authority provided in article I, section 8, clause 10, of the Constitution, or pursuant to both sources of power. It is wholly unwarranted to say that, because another offense has been added to the list of the few now punishable as offenses against the law of nations, the States have been deprived of a field of criminal jurisprudence. This area of the field they never possessed.

Last year, in hearings before the subcommittee presided over by the Senator from Idaho (Mr. Church), Rita E. Hausser, U.S. Representative to the United Nations Commission of Human Rights, pointed out that "ratification of the Genocide Convention is a proper exercise of the treaty power." The convention flows from the provisions of the U.N. Charter on human rights by which an international organization was established but which also comprises a code of conduct binding to all members. The scope of treaties since 1945 has been diverse; genocide is a matter of concern to all states and one requiring common treatment. Massive horror anywhere affects all the world and is usually associated at some point with threats to or breaches of international peace and security. The fact that 75 states have entered into a treaty on genocide in and of itself makes the subject one of international concern. And, if genocide is a matter of international concern, then the United States has the constitutional power to enter into a treaty on the sub-

ject. In addition, the Constitution grants to the Congress in article I, section 8, power to define and punish "offenses against the law of nations." The world community by its widespread ratification of the Genocide Convention has defined genocide as a crime against the law of nations.

I strongly urge the Senate to consider the Genocide Convention not only a body of international law, but a building block of a world order, of a faith in the government of law and not of men. This convention is neither the first nor will it be the last convention we evaluate. It is my fervent hope that it is one of a long line of international law which will rid this earth not only of the scourge of genocide, but war, famine, repression, and barbaric government.

I again urge the ratification of this convention.

THE TOLL OF THE AIR WAR IN CAMBODIA

Mr. CHURCH. Mr. President, as American air operations above Cambodia expand, many thousands of peasants are added to the list of helpless victims of the widening Indochina war. In a perceptive column, Mr. Marquis Childs points this tragedy out:

"The voiceless, defenseless peasants in the jungle and the rice paddies have no protection from the destruction rained down from the skies. Even the choice of defection from the Vietcong, if they should want to defect, is denied them, since the bombs and the napalm know no political distinctions.

More and more, U.S. conduct in Indochina is being seriously questioned by many American citizens. Mr. Childs concludes his column by raising this issue:

One of the serious charges leveled against the "good Germans, the solid middle class, under the Nazis was their professed ignorance of or indifference to the systematic extermination of the Jews. Will the time come when we, the Americans, suffer in world opinion the charge of shutting our eyes to mass suffering and something like extermination?

I ask unanimous consent that Mr. Childs' column, entitled "Cambodia Air War: 'The Foll Grows,'" be printed in the RECORD.

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

CAMBODIA AIR WAR: THE TOLL GROWS (By Marquis Childs)

The expanded air war in Cambodia, contradicting the President's pledge of June 30, is adding new thousands of helpless victims to the awful toll of the conflict in Indochina. The voiceless, defenseless peasants in the jungle and the rice paddies have no protection from the destruction rained down from the skies. Even the choice of defection from the Vietcong, if they should want to defect, is denied them, since the bombs and the napalm know no political distinctions.

The plight of thousands—probably over the five years of the bombing hundreds of thousands—of men, women and children is a grim side of the war to which most of us shut our eyes. When to this is added the hapless state of several hundred thousands of refugees, together with the destruction of one-fifth to one-fourth of the productive land by defoliation, a whole people is seen to be nearing a point of no return.

As was shown in World War II, bombing is notoriously hit-or-miss despite the charts and maps of highly organized areas. Where the targets are jungle trails and vaguely defined villages on indeterminate maps, it is a rigged form of Russian roulette.

The ultimate form of this deadly roulette is the free-fire zone. In Laos, and perhaps now also in Cambodia, such a zone is an open target where bombs may be unloaded indiscriminately.

So devastating is the impact of the suffering civilians seen at first that Americans working in Vietnam were moved recently to speak out. Forty-six doctors, teachers, nurses, social workers—some with U.S. government agencies, others with voluntary groups—wrote President Nixon and United Nations Secretary General U Thant. The letter is a deeply disturbing document that got far too little attention.

It points to repeated violations of the Geneva and other conventions, including the charter of the Nuremberg Tribunal, covering the conduct of war. The letter quotes from a paper of the Military Assistance Command describing the effects of the Communist troops of the bombing on two Vietcong hospitals in the Queson mountains south of Danang. "The two-hospital blinds could seriously hurt the NVA (North Vietnamese) and VC (Vietcong) operating in the Queson area by almost eliminating a chance of intensive medical care."

Article 19 of the Geneva Convention of 1949 states that "fixed establishments and mobile medical units of the medical service" shall under no circumstances be attacked but shall at all times be respected and protected.

"Nearly a third of the people of South Vietnam and Laos have been removed from their homes," the letter says. Most of them are the victims of forced transfers by the allied military or saturation bombing, or are farm people who have been driven and become unproductive because of the defoliation."

It is, to be sure, a ghastly war—a war of unmitigated cruelty, the death trap, the land mine. The inhumane treatment of American prisoners of war violate the Geneva Convention on many scores. But presumably, someday this conflict will end and the question is what will happen to a people ground down so close to the survival by years of war.

Sen. Edward M. Kennedy's subcommittee on refugees has been almost the only focus of concern for the plight of helpless civilians showing how empty is the official American rhetoric out of Vietnam about refugees resettled in supposed pacified areas have been underwritten by the General Accounting Office.

One of the serious charges leveled against the "good" Germans, the solid middle class, under the Nazis was their professed ignorance of or indifference to the systematic extermination of the Jews. Will the time come when we, the Americans, suffer in world opinion the charge of shutting our eyes to mass suffering and something like extermination?

This is not willful extermination, as with the Nazis, but in this case is the prosecution of a war. In the German the victims are gooks, faceless Asian peasants. But they are also human beings capable of suffering and sorrow as though their skins were white.

TRADE POLICY FOR THE 1970'S

Mr. BENNETT. Mr. President, in a speech given by Mr. Harold B. Scott, Deputy Assistant Director of the Bureau of International Commerce on January 11, he sets forth considerations for a new trade policy for the 1970's. Mr. Scott outlined several new ideas, which I found to be interesting, informative, and deserving of our attention.

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should inspire us. It is one that should lift us, and it is one also that should build for all of us the strength we are going to need to withstand the barbs of our critics."

When a President speaks that way to the men around him and when you see how fervently he means what he says, you understand why he inspires such loyalty and commitment in the men around him. It needs to be transmitted more widely, which is the hardest task of all but I believe it will be done.

CONGRESSIONAL POWER UNDER THE CONSTITUTION

MR. PROXMIER. Mr. President, last Friday, I discussed the objections to ratifying the Genocide Convention concerning legal protection of persons that might be tried by an international tribunal for the crime of genocide. At the same time, I also discussed the question of extradition, fully explained by George H. Aldrich, Deputy Legal Adviser to the Department of State.

Today, I would like to concern myself with an examination of the constitutional basis of support for U.S. ratification of the Genocide Convention, and whether such support alters in any way the power of Congress under the Constitution. These two points have been the topic of much criticism and objection of the U.S. potential ratification of the Genocide Convention. I hope to show that these criticisms and objections are wholly unfounded.

The McMahon Subcommittee, in 1950, heard from the then Under Secretary of State Dean Rusk, who made some key points concerning the Genocide Convention.

He pointed out that in the history of the Convention in the United Nations, the members of that international organization have twice declared that genocide is a matter of international concern and that genocide is a crime under international law. All have declared that international cooperation is needed to stop this practice and that States have a duty to stop such practices within their own borders. Thus, genocide is a subject within the constitutional power of the Federal Government—the Congress—to define and punish offenses against the law of nations. Article I, section 8, clause 10, U.S. Constitution.

Under Secretary Rusk also noted that:

"The Genocide Convention does not represent the first instance in which the United States has cooperated with other nations to suppress criminal or quasi-criminal conduct which has become a matter of international concern."

Among the early treaties referred to are those agreements relating to the protection of submarine cables—1884—the preservation and protection of fur seals in the North Pacific—1911—suppression of the slave trade and slavery—1910—the suppression of the abuse of opium and other drugs—1912—all of which call for the punishment of those who commit a crime defined in the treaty.

I would like to turn to the excellent testimony of Solicitor General Philip B. Perlman pertaining to the constitutional

basis for support for the U.S. ratification of the Genocide Convention:

(I) The treaty power. In our view the United States has complete authority to enter into the Genocide Convention. The treaty power is being invoked, and "that the treaty power of the United States extends to all proper subjects of negotiation between our government and the governments of other nations is clear (*Geoffrey v. Riggs*, 133 U.S. 258, 266 (1890); *Asakura v. Seattle*, 265 U.S. 337, 341 (1924). The treaty making power is broad enough to cover all subjects that properly pertain to our foreign relations * * * (*Santo Domingo v. Egan*, 284 U.S. 30, 49 (1931))."

The contention advanced by some of the critics of the Convention that these subjects must be exclusively "foreign" or "international" or "external" overlooks the whole history of treaty-making which has, from the first, dealt with matters having direct impact on subjects intimately of domestic and local concern.

To cite at some length from his testimony, we can see that:

Genocide is . . . a subject appropriate for action under the treaty-making power seems to us an inescapable conclusion. The historical background of the Genocide Convention indicates the view of the representatives in international affairs of practically all the governments of the world on the appropriateness and desirability of an international agreement to "outlaw the world-shocking crime of genocide." This government has shared in this view; in fact, has taken a leading part in shaping the convention.

Mr. Perlman next addressed himself to the question of constitutional limitations on the treaty power:

It is accurate to say that the treaty power extends to all proper subjects of negotiation with other governments, and that genocide or the Genocide Convention appears to be such a proper subject of negotiation. However, it has been suggested by critics of the convention that the treaty power is not without limitations, and that the convention or parts of it may conflict with these. The arguments are grounded principally in a statement contained in the case of *Geoffrey v. Riggs* (133 U.S. 258, 267 (1890)):

"The treaty power, as expressed in the Constitution, is in terms unlimited except by those restraints which are found in that instrument against the action of the Government or of its departments, and those arising from the nature of the Government itself and that of the States. It would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the character of the Government or in that of one of the States, or a cession of any portion of the territory of the latter without its consent. * * * But with these exceptions, it is not perceived that there is any limit to the questions that can be adjusted touching any matter which is properly the subject of negotiation with a foreign country."

The constitutional restraints or limitations suggested by this statement appear to be of two kinds—express prohibitions, and those implied from the nature of Government and the States. As a matter of fact the Supreme Court may have whittled down the breadth of the suggestion in its later opinion in *Asakura v. Seattle* (265 U.S. 332, 341 (1924)) when it said:

The treaty-making power of the United States is not limited by any express provision of the Constitution, and though it does not extend so far as to authorize what the Constitution forbids, it does not extend to

all proper subjects of negotiations between our Government and other nations.

In *Missouri v. Holland* (252 U.S. 416 (1920)), the Supreme Court specifically eliminated the 10th amendment to the Constitution as a possible limitation on the treaty power. What Mr. Justice Holmes had to say for the court on the existence of limitations on the treaty power generally is also of importance:

Acts of Congress are the supreme law of the land only when made in pursuance of the Constitution, while treaties are declared to be so when made under the authority of the United States. It is open to question whether the authority of the United States means more than the formal acts prescribed to make the convention. We do not mean to imply that there are no qualifications to the treaty-making power; but they must be ascertained in a different way. It is obvious that there may be matters of the sharpest exigency for the national well-being that an act of Congress could not deal with but a treaty followed by such an act could and is not lightly to be assumed that, in matters of requiring national action, "a power which must belong to and somehow reside in every civilized government" is not to be found. * * * The case before us must be considered in the light of our whole experience and not merely in that of what was said 100 years ago. (252 U.S. at 433).

It is significant, in this respect, that no treaty of the United States has been held unconstitutional.

I would like here to delve into the question of the express power of Congress to define and punish offenses against the law of nations and whether this is a limitation on the treaty power. Again referring to Solicitor General Perlman's testimony, we find:

An argument is made by those who oppose the Genocide Convention as a whole that Article I, section 8, clause 10, of the Constitution, confers on Congress the power "to define and punish piracies and felonies committed on the high seas, and offenses against the law of nations; and that for the President and the Senate to bind this country to a treaty obligating the United States to punish an offense under international law (per art. I of the Convention) is a usurpation of the legislative power, particularly if the treaty is self-executing.

In order not to obscure the real argument with assumptions that are not factual, it should be observed at once that article V of the Convention specifically contemplates domestic legislative action, in particular to prescribe penalties since none is provided. This part of the convention, requiring as it does legislative action, is not self-executing under the principles laid down by the Supreme Court, *Foster v. Neilson* (2 Pet. 253 (U.S. 1829)); and for the United States to enact the necessary legislation to give effect to the provisions of the convention "in accordance with . . . (its) Constitution(s)" (Convention art. V.), and to try guilty persons "by a competent tribunal of the State in the territory of which the act was committed" (Convention art. VI), requires action by Congress prescribing the offenses punishable and conferring criminal jurisdiction on the courts of the United States. (As regards self-execution, see the excellent analysis prepared by the senior Senator from New York, Jacob Javits, on page 220-221 of the Genocide Convention, May 22, 1970.)

This is not to say that Congress may not, in its discretion, use the definitions of the offenses under international law, in this case as contained in the convention, just as it has validity provided punishment for the crime of piracy "as defined by the laws of

In particular, the Ambassador wished to clear up any misunderstanding regarding extradition.

On the subject of U.S. interpretation and policy as regards extradition, he said:

United States law provides for extradition only when there is an extradition treaty in force. The Convention does not purport to be an extradition treaty. It would require only that the United States provide for extradition for genocide in new extradition treaties which we might negotiate or in revisions of existing extradition treaties.

Mr. Aldrich added that there are no such treaties now in existence in any country; that is, those countries making genocide an extraditable offense. He assured the committee that the United States would not negotiate such treaties until Congress had passed legislation making genocide a crime in the United States because it was our policy not to make an offense extraditable unless it is a crime in both states involved.

Another factor in any decision to negotiate an extradition treaty is whether the judicial process of the other country affords the persons who may be extradited a fair trial. Basic procedural protections have been built into the treaty at the beginning. For example:

(1) any extradition treaty will require the State requesting extradition to produce sufficient evidence to persuade both a United States Court and the Executive that the person sought would be held for trial under United States Law if the offense has been committed here;

(2) any extradition treaty will assure the person sought the right to the remedies and recourses provided by the law of the requested State (for example habeas corpus) and

(3) any extradition treaty will preclude extradition when the person sought is undergoing or has undergone trial in the United States for the same act.

Mr. Aldrich also pointed out that in reference to article VI, on the trying of persons accused of genocide in the state where the act was committed, that—

This provision contemplates the obligation of that State and does not exclude trial by other States having jurisdiction. The negotiating record of the Genocide Convention makes clear, in particular, that trial for acts committed in a foreign country could be held in the State of which the defendant is a national. We believe that the statute implementing the Convention should cover not only acts committed in the territory of the United States, but, in addition, acts committed anywhere by American Nationals.

In the event that a case is presented involving an American national before criminal proceedings have been initiated in the United States, we would reserve discretion to initiate proceedings ourselves, rather than extradite.

Furthermore, in answer to questioning concerning the policy of the Department of State on ratification of the convention and congressional passage of implementing legislation called for in article V of the convention, Mr. Aldrich referred the subcommittee of the intentions of the State Department, as enunciated in a letter to the chairman, Senator FRANK CHURCH, of May 22, 1970, as follows:

It is the Department's intention to recommend to the President that this instrument

of ratification to the Genocide Convention not be signed, and if signed not to be deposited, until after implementing legislation for the Convention has been enacted.

The subcommittee chairman, Senator CHURCH, also pointed out some legal precedents which undertook to define and establish an international crime and the obligations assumed by each signatory to pass domestic law that would conform. The Convention of Slavery was cited and the State Department furnished for the record conventions to which the United States is a party and in which the United States has undertaken an international obligation to punish as certain crimes certain actions described therein. These included the four Geneva Conventions on Protection of War Victims (1949); the Convention for the Protection of Whaling (1935); the International Convention for the Prevention of Pollution of the Sea by Oil (1954); and the single Convention on Narcotic Drugs, (1961).

In summary, I would like to add the reply of the American Bar Association's Section of Individual Rights and Responsibilities:

One criticism of the Convention arose out of the possibility that under Article VI, a person accused of genocide could be tried by an international penal tribunal possibly without trial by jury and other safeguards to which a United States citizen is entitled under the Constitution. Again, the answer is simple. No such tribunal has been established. If one were established, parties to the Genocide Convention would have the option whether to accept its jurisdiction or not. For the United States, that option would have to be independently exercised through the Treaty Power, that is only with the advice and consent of the Senate by two-thirds vote.

Lastly, I sincerely doubt that a tribunal of International Law, set up under the auspices of the United Nations, would fail to have safeguards and protections inconsistent with the UN Charter or the Universal Declaration of Human Rights. In this sense, such a tribunal would undoubtedly be consistent with the American legacy of safeguarding each and every individual's sacred rights and liberties.

I again urge this body to ratify this extremely important document. Our failure to do so can only set back the noble concept of international law and world peace.

CORRECTION OF THE RECORD

Mr. NELSON. Mr. President, Tuesday, January 26, I delivered a speech on the environment. It begins on page S158.

I request that a correction be made and printed in today's CONGRESSIONAL RECORD. The correction is as follows:

On page S158, third column, after the paragraph beginning, "From mercury and pesticide pollution to massive waste dumping at sea," and before the paragraph beginning, "Environmental lobbies achieved hard-won victories from San Francisco Bay to Everglades National Park," add the following paragraphs which were left out of the text of the speech as I presented it:

By any normal standards in this society, the environmental actions of the 91st Congress, the President and the public, constituted significant progress.

With the participation of millions of Americans, Earth Day last April demonstrated an overwhelming concern.

A Senate vote against the SST marked the coming of age of the environmental issue as a national political force.

Taking hallmark initiatives, Congress passed the Clean Air, Environmental Education, National Environmental Policy, Resource Recovery and Water Quality Improvement acts, and the first pesticide pollution control measure. It also approved major new national parks and recreation areas.

The President's State of the Union and environmental messages to Congress and establishment of the Environmental Protection Agency, and subsequent administrative commitments against polluters were substantial steps in the right direction.

DEVELOPMENTS IN CAMBODIA

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD a compilation of statements by administration officials relating to developments in Cambodia which was prepared by the Library of Congress at the request of the Committee on Foreign Relations.

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

U.S. POLICY TOWARD CAMBODIA SINCE MARCH 1970

(Statements by President Nixon, Secretary of State Rogers, Secretary of Defense Laird)

1970, PRESIDENT RICHARD NIXON

March 21—News conference:

"... we have ... established relations on a temporary basis with the government which has been selected by the Parliament and will continue to deal with that government as long as it appears to be the government of the nation.

"... we respect Cambodia's neutrality. We would hope that North Vietnam would take that same position respecting its neutrality. And we hope that whatever government eventually prevails there, that it would recognize that the United States' interest is the protection of its neutrality."

April 30—Address to the Nation:

"Ten days ago ... I announced a decision to withdraw an additional 50,000 Americans from Vietnam over the next year. I said then that I was making that decision despite our concern over increased enemy activity in Laos, in Cambodia, and in South Vietnam.

"... I warned that if I concluded that increased enemy activity in one of these areas endangered the lives of Americans remaining in Vietnam, I would not hesitate to take strong and effective measures to deal with that situation.

"Despite that warning, North Vietnam has increased its military aggression in all these areas, and particularly in Cambodia. ...

"American policy since 1954 has been to scrupulously respect the neutrality of the Cambodian people. ...

"North Vietnam, however, has not respected that neutrality. ...

"... North Vietnam has occupied military sanctuaries all along the Cambodian frontier with South Vietnam. ... They are used for hit and run attacks on American and South Vietnamese forces in South Vietnam. ...

"For 5 years, neither the United States nor South Vietnam has moved against these enemy sanctuaries because we did not wish to violate the territory of a neutral nation. Even after the Vietnamese communists began to expand these sanctuaries 4 weeks ago, we counseled patience to our South Vietnamese allies and imposed restraints on our own commanders. ...

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grams to the states and localities. Subtracting current federal expenditures for welfare and Medicaid—programs whose costs would be absorbed in the future by our cash assistance and National Health Insurance proposals—federal grants-in-aid now total \$19 billion.

Our budget calls for increasing that total to \$41 billion by 1975, a proposal which would reduce the projected 1975 revenue gap another \$18 billion.

Fourth, a public service employment program such as the one recently vetoed by President Nixon represents another important form of fiscal relief. It would provide states and cities with the funds to train and hire employees needed to staff essential services. State and local budgets cannot now support in areas of real demand such as health, education, police protection and pollution control.

We recommend a public service employment program by 1975 of 875,000 jobs at a cost to the federal government of \$4 billion.

Implementing all of the above proposals would still leave a sizeable disparity between state and local expenditure needs and revenues in 1975 should the states and localities succeed in substantially increasing the productivity of their services.

It is unrealistic to expect Washington to make good whatever difference remains even if federal resources of that magnitude were available. For Congress might understandably be hesitant to turn over huge sums of discretionary federal tax dollars without assuring they contribute to the achievement of nationally defined objectives.

Therefore it is highly probable that restoring fiscal health to state and local governments will require increased revenue-raising efforts by these jurisdictions themselves. The federal government can help and encourage. But it cannot and should not do the job alone.

Accordingly, we are recommending two modest revenue sharing programs which will contribute to bridging the expenditure-revenue gap while providing incentives for states and cities to increase the yields from the own tax base:

The first is a general sharing plan to divide \$3 billion in federal revenue among those states with graduated state income taxes. States without such a tax would be ineligible to receive any of these funds. Passing through provisions to ensure the cities a fair share of the funds also would be mandatory.

The second program is one of general aid to education. It would provide the states and localities with an additional \$4 billion by 1975. Like our general sharing plan, this education assistance would be tied to changes in state and local tax practices: under our proposal, states would have to assume at least 55% of combined state and local education costs to be eligible. This would have the dual effect of reducing the pressure on overburdened local property taxes while providing public education a tax base with greater growth potential.

Specifying the forms federal relief could take, however, is only half the task. Any responsible proposal for resquing our states and cities from their financial duress must include a plan for raising the additional resources required for this fiscal relief as well as for the other expenditure increases we recommend in our budget.

To summarize, this additional revenue could be collected from the following four sources:

First: vigorous national economic growth which would produce additional federal tax revenues of nearly \$75 billion between now and 1975.

Second: cuts in existing federal programs such as our recommendations to reduce the military budget \$20 billion by 1975 and the agricultural subsidy program by \$1 billion.

Third: elimination of inequities in the federal tax system.

And fourth: a federal 10% tax surcharge on personal and corporate income beginning in 1974 which, given our assumptions about economic growth and tax reform, would yield about \$17 billion in additional federal revenues by 1975. Imposition of this surcharge would only make sense *after* we had returned to a full-employment economy and *after* reform had rendered the federal income tax graduated in reality as well as in theory.

Mr. Chairman, the content of this strategy is subject to debate. But the process for devising it is not.

Public problems cannot be attacked nationally except in terms of conflicting needs competing for limited resources. At the national level this means defining problems in the context of the entire federal budget; calculating expenditure decisions both in terms of available resources and spending alternatives.

Yet, as this Committee is well aware, Congress lacks a vantage point for such a comprehensive view. For at no time is the federal budget considered in its entirety on Capitol Hill.

Therefore, it is clear that a necessary condition for reordering national priorities must be the creation of appropriate structures in Congress for examining the budget as a whole.

Towards this end, the National Urban Coalition will welcome the opportunity to present an alternative budget in public sessions before the full Appropriations Committee of each house. If the members of this Committee believe it would be helpful to establish this precedent we would be pleased to have your assistance.

LEGAL VIEW OF THE GENOCIDE CONVENTION

Mr. PROXMIER. Mr. President, on April 2, 1969, Senator J. WILLIAM FULLER BRIGHT, chairman of the Senate Foreign Relations Committee, indicated that in his view the committee could resume consideration of the Genocide Convention at any time the members wished. He noted:

The committee's disposition may be influenced if the American Bar Association were to recommend ratification.

On December 9, 1969, the Section on Individual Rights and Responsibilities of the American Bar Association, under Chairman Jerome J. Shestack, recommended that the ABA house of delegates enact a resolution calling for the ratification of the Genocide Convention by the Senate. The 41-page report which accompanied the resolution expanded on five major areas:

The Genocide Convention is a document of human liberty consistent with and in furtherance of the American tradition.

An international convention or treaty is the most suitable form of addressing the dangers of genocide.

The Genocide Convention properly focuses both on states, and on individuals.

The Genocide Convention is in all respects consistent with the Constitution, the laws and the ideals of the United States.

The Genocide Convention remains an issue of current importance.

On February 19, 1970, just a few days before the house of delegates of the American Bar Association was to vote on whether to change its position on the

subject of ratification, President Nixon requested the Senate to renew its consideration of the Genocide Convention and to grant its advice and consent to ratification. The President asserted:

We should delay no longer in taking the final convincing step which would reaffirm that the United States remains as strongly opposed to the crime of genocide as ever. By giving its advice and consent to ratification of the Convention, the Senate of the United States will demonstrate unequivocally our country's desire to participate in the building of international order based on law and justice.

Secretary of State Rogers, in his report to the President on the Convention, recommended "an understanding to make clear that the U.S. Government understands and construes the words 'mental harm' appearing in article II(9b) of this Convention to mean permanent impairment of mental facilities."

Unfortunately, on February 23, 1970, the American Bar Association house of delegates voted, 130 to 126, to adhere to its 1949 position against Senate ratification of the Genocide Convention.

Meanwhile, the Senate Foreign Relations Committee took action to reconsider the Convention. A special subcommittee of the Genocide Convention, chaired by Senator FRANK CHURCH of Idaho, was appointed on March 20. The subcommittee held hearings on April 24 and April 27, 1970. In addition, hearings were briefly held on May 22, 1970.

It is my intent this morning to answer some of the particular questions and objections presented to the subcommittee as arguments against action on the Convention.

I would first like to quote an observation of my colleague from New York, Senator JAVITS, concerning this matter:

The protection of human rights is indeed a matter of international concern. The United States has shown that it agrees with this view by ratifying the World War II peace treaties, The United Nations Charter, the Slavery Convention of 1926, and more recently the Supplementary Convention on Slavery (1967) and the Supplementary Convention on Refugees (1963).

Charles Yost, U.S. Representative to the United Nations, testifying on April 24, 1970:

It is my strong belief that ratification of the Genocide Convention by the United States would substantially serve our national interest in two ways: First, by its impact on world opinion, and second, by its impact on world law.

It has been argued that under the Genocide Convention individuals as well as persons exercising governmental power would be subject to trial and punishment for offenses which have always been regarded as matters falling within the domestic jurisdiction of the various nations.

George H. Aldrick, Deputy Legal Adviser, Department of State, in a statement presented to the Genocide Convention Committee, replied in part to the above criticism:

I shall direct my comments to the types of acts the Convention deals with and to the ways in which such acts would be tried and punished.

January 29, 1971

CONGRESSIONAL RECORD — SENATE

S 531

"North Vietnam in the last 2 weeks has stripped away all pretense of respecting the sovereignty or the neutrality of Cambodia. Thousands of their soldiers are invading the country from the sanctuaries; they are encircling the capital of Phnom Penh. Coming from these sanctuaries, as you see here, they have moved into Cambodia and are encircling the capital.

"Cambodia, as a result of this, has sent out a call to the United States, to a number of other nations, for assistance. Because if this enemy effort succeeds, Cambodia would become a vast enemy staging area and a springboard for attacks on South Vietnam along 600 miles of frontier—a refuge where enemy troops could return from combat without fear of retaliation. . . .

"Now confronted with this situation, we have three options.

"First, we can do nothing. Well the ultimate result of that course of action is clear. . . .

"If North Vietnam also occupied this whole band in Cambodia, or the entire country, it would mean that South Vietnam was completely outflanked and the forces of Americans in this area, as well as the South Vietnamese, would be in an untenable military position.

"Our second choice is to provide massive military assistance to Cambodia itself. Now unfortunately, while we deeply sympathize with the plight of 7 million Cambodians whose country is being invaded, massive amounts of military assistance could not be rapidly and effectively utilized by the small Cambodian Army against the immediate threat.

"With other nations, we shall do our best to provide the small arms and other equipment which the Cambodian Army of 40,000 needs and can use for its defense. But the aid we will provide will be limited to the purpose of enabling Cambodia to defend its neutrality and not for the purpose of making it an active belligerent on one side or the other.

"Our third choice is to go to the heart of the trouble. That means cleaning out major North Vietnamese and Vietcong occupied territories. . . .

"Now faced with these three options, this is the decision I have made.

"In cooperation with the armed forces of South Vietnam, attacks are being launched this week to clean out major enemy sanctuaries on the Cambodian-Vietnam border.

"A major responsibility for the ground operations is being assumed by South Vietnamese forces. For example, the attacks in several areas, including the Parrot's Beak that I referred to a moment ago, are exclusively South Vietnamese ground operations under South Vietnamese command with the United States providing air and logistical support. . . .

"Tonight, American and South Vietnamese units will attack the headquarters for the entire Communist military operation in South Vietnam. This key control center has been occupied by the North Vietnamese and Vietcong for 5 years in blatant violation of Cambodia's neutrality.

"This is not an invasion of Cambodia. The areas in which these attacks will be launched are completely occupied and controlled by North Vietnamese forces. Our purpose is not to occupy the areas. Once enemy forces are driven out of these sanctuaries and once their military supplies are destroyed, we will withdraw.

"These actions are in no way directed at the security interests of any nation. . . .

"We take this action not for the purpose of expanding the war into Cambodia but for the purpose of ending the war in Vietnam and winning the just peace we all desire."

"I know that what I have done will accomplish the goals that they [those who protest] want. It will shorten this war. It

will reduce American casualties. It will allow us to go forward with our withdrawal program. . . . It will in my opinion serve the cause of a just peace in Vietnam. . . .

"I found that the action that the enemy had taken in Cambodia would leave the 240,000 Americans who would be there a year from now without many combat troops to help defend them, would leave them in an untenable position. That is why I had to act. . . .

Q. "Do the South Vietnamese abide by the same pull-out deadline as you have laid down for the American forces?"

The President. "No, they do not. I would expect that the South Vietnamese would come out approximately at the same time that we do because when we come out our logistical support and air support will also come out with them.

"The action actually is going faster than we had anticipated. The middle of next week the first units, American units, will come out. The end of next week the second group of American units will come out. . . . Americans of all kinds, including advisers, will be out of Cambodia by the end of June. . . .

"... it is my belief, based on what we have accomplished to date, that we have bought at least 6 months and probably 8 months of time for the training of the ARVN, the Army of South Vietnam. We have also saved, I think, hundreds, if not thousands, of Americans. . . . By buying time, it means that if the enemy does come back into those sanctuaries next time, the South Vietnamese will be strong enough and well trained enough to handle it alone.

"I should point out too, that they are handling a majority of the assignment now in terms of manpower.

Q. "What is your policy toward Cambodia's future?"

The President. "The United States is, of course, interested in the future of Cambodia. . . . However, the United States, as I indicated in what is called the Guam or Nixon Doctrine, cannot take the responsibility and should not take the responsibility in the future to send American men in to defend the neutrality of countries that are unable to defend themselves.

"In this area, what we have to do is to go down the diplomatic trail. . . . [to find] methods through which the neutrality of countries like Cambodia and Laos, who cannot possibly defend themselves, to see that that neutrality is guaranteed without having the intervention of foreign forces."

June 3—Report to the Nation:

"... Between April 20 and April 30, Communist forces launched a series of attacks against a number of key cities in neutral Cambodia. Their objective was unmistakable—to link together bases they had maintained in Cambodia for 5 years in violation of Cambodian neutrality. . . .

"This posed an unacceptable threat to our remaining forces in South Vietnam. . . .

"I directed that American troops join the South Vietnamese in destroying these major enemy bases along the Cambodian frontier. . . .

"As of today I can report that all of our major military objectives have been achieved. . . .

"General Abrams advises me that 17,000 of the 31,000 Americans who entered Cambodia have already returned to Vietnam. The remainder will return by the end of this month. This includes all American air support, logistics, and military advisory personnel.

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

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

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

"... Sixty percent of all the troops involved in the Cambodian operation were South Vietnamese. The effectiveness, the skill, the valor with which they fought far exceeded our expectations. Confidence and morale in the South Vietnamese Army has been greatly bolstered. This operation has clearly demonstrated that our Vietnamization program is succeeding. . . .

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

June 30—Report by the President:

"Together with the South Vietnamese, the Armed Forces of the United States have just completed successfully the destruction of enemy base areas along the Cambodian-South Vietnam frontier. All American troops have withdrawn from Cambodia on the schedule announced at the start of the operation.

"The allied sweeps into the North Vietnamese and Vietcong base areas along the Cambodian-South Vietnamese border:

Will save American and allied lives in the future;

Will assure that the withdrawal of American troops from South Vietnam can proceed on schedule;

Will enable our program of Vietnamization to continue on its current timetable;

Should enhance the prospects for a just peace. . . .

"In assessing the April 30 decision to move against the North Vietnamese and Viet Cong sanctuaries in Cambodia, four basic facts must be remembered.

"It was North Vietnam—which brought the Vietnam War into Cambodia. . . .

"It was the presence of North Vietnamese troops on Cambodian soil that contributed to the downfall of Prince Sihanouk. . . .

"It was the government appointed by Prince Sihanouk and ratified by the Cambodian National Assembly—which was a group of usurpers—which overthrew him with the approval of the National Assembly. . . .

"It was the major expansion of enemy activity in Cambodia that ultimately caused allied troops to end five years of restraint and attack the Communist base areas. . . .

"The prospect suddenly loomed of Cambodia's becoming virtually one base area for attack anywhere into South Vietnam along the 600 miles of the Cambodian frontier. . . .

"We thus faced a rapidly changing military situation from that which existed on April 20. . . .

"Our military response to the enemy's escalation was measured in every respect. It was a limited operation for a limited period of time with limited objectives. . . .

"We have eliminated an immediate threat to our forces and to the security of South Vietnam—and produced the prospect of fewer American casualties in the future. . . .

Soviet Union's Activities and Their Intentions in Egypt: The View From Four Capitals

Soviet activities and intentions in the United Arab Republic remain a subject of intense speculation and a question that underlies the renewed indirect Arab-Israeli negotiations. Following are views of the question from four capitals involved in Middle East diplomacy.

Moscow

Special to The New York Times
MOSCOW, Jan. 5.—The Soviet Union has pledged all its resources to the United Arab Republic, but beyond that tentative strike, engage the Egyptian government, the Soviet Union has not taken any further steps. The Soviet Union has been extremely active in the past few days, but it has not taken any further steps. The Soviet Union has been extremely active in the past few days, but it has not taken any further steps.

Are there Russian anti-aircraft missiles in the Sinai? The Soviet Union has been extremely active in the past few days, but it has not taken any further steps. The Soviet Union has been extremely active in the past few days, but it has not taken any further steps.

It is a rare event here to catch sight of a Russian in uniform. Occasionally, a jeep will pass through town with a blue-eyed driver in Egyptian fatigues. On Fridays, the official day off for Egyptians and Russians, all groups of young men, looking somewhat awkward in civilian clothes, wander along downtown streets peering into store windows.

Cairo

By RAYMOND H. ANDERSON
Special to The New York Times
CAIRO, Jan. 5.—One of the surest ways to perk up lagging conversation at a diplomatic reception in Cairo is to raise the

Jerusalem

By PETER GROSE
Special to The New York Times
JERUSALEM, Jan. 5.—The military presence in the United Arab Republic, seldom have so many diplomats talked so long

The central issue of debate is not so much one of numbers but rather of activity and ultimate intentions.



Aleksei N. Kozlov, left, Soviet Premier, with Avniar el-Sadat in Cairo just after death of Gamal Abdel Nasser.

United Press International
Judgment: That the Soviet Union is not interested in pushing the Egyptians into a new war with Israel. Premier Golda Meir has continued to insist that the Soviet Union is not interested in pushing the Egyptians into a new war with Israel.

Egypt is that expense is not an inhibiting consideration. Some Israeli strategists express concern that the presence of such missiles would make even more difficult any withdrawal from the Suez Canal. The Soviet Union has been extremely active in the past few days, but it has not taken any further steps.

Washington
By IAD SZULC
Special to The New York Times
WASHINGTON, Jan. 5.—The Soviet military presence in the United Arab Republic is estimated at 12,000 men, with no indication that this level of deployment is changing significantly.

including nearly 200 sites near the Suez Canal, according to American sources. Most of the Soviet forces in Egypt are believed to be engaged directly or indirectly in the defense system.

installed by the Russians in the cluster can fire at both high and low altitudes. The SAM-2s are more than 60 and low flying planes. The SAM-3s are more than 60 and low flying planes. The SAM-3s are more than 60 and low flying planes.

There is no precise break-down of the SAM-2s as the training of Egyptian crews operating the SAM-2s is still in progress. The SAM-2s are more than 60 and low flying planes. The SAM-3s are more than 60 and low flying planes.

are not so much one of numbers but rather of activity and ultimate intentions.

Rogers, in Policy Report, Sees 'Preoccupation' With Vietnam

By TAD SZULC

Special to The New York Times

WASHINGTON, March 27—Secretary of State William P. Rogers told Congress today that the United States' "National preoccupation with Vietnam has pre-empted our attention from other areas of concern" in the world.

In an introduction to his report to Congress on "United States Foreign Policy—1969-70," Mr. Rogers commented: "By ending our involvement in the war we will restore perspective; by altering the character of our involvement in the world we will re-establish a balance in the conduct of our relations."

The 617-page report discusses American foreign policy trends under the Nixon Administration and gives a detailed account of the 117 countries with which the United States has diplomatic relations. It also discusses dealings with Communist China, which has not been recognized diplomatically by Washington.

The State Department's report follows President Nixon's State of the World Message last month to Congress. The department noted that the first such report by a Secretary of State was issued by Thomas Jefferson in 1790 and the last previous one by Richard Olney in the Grover Cleveland Administration in 1896.

Periodic Report Planned

It said that the Secretary of State would henceforth issue foreign policy reports every two years. The current report, containing Mr. Rogers' main policy speeches and the texts of international agreements signed by the United States in the last two years, as well as the names of all United States ambassadors abroad, will be on sale starting Monday at the Government Printing Office here for \$2.75 a copy.

Although Mr. Rogers devoted much of his attention to questions of international security, such as the Indochina war, the Middle Eastern crisis and the talks with the Soviet Union on limitation of strategic armaments, and to economic affairs, he added ecology as a new dimension of foreign policy. In this field, he said, "the realization that many solution must be sought on a global basis has come recently and suddenly."

"A current example is the recognition that pollution of our environment is truly a global problem," he said. "To deal with the problems of pol-

lution new methods of international organization and cooperative action are required.

Secretary Rogers said that in preparation for the 1972 United Nations Conference on the Human Environment, the State Department had recently named a citizens' advisory committee to advise the Government.

"An awareness has also come upon the world dramatically that the increasing quantity of life directly threatens the quality of life," Mr. Rogers declared.

He said that the United States was committed to a solution of the worldwide problem of population growth and that in the current fiscal year it was spending \$100-million on related international problems, 20 times the expenditure of four years ago.

The report noted that if present birth rates continued, the world population would rise from about 4 billion this year to 7.5 billion in the year 2000 and to 55 billion within 100 years. It stressed that in 1970 alone the world's population grew by 70 million.

In his discussion of foreign policy, Mr. Rogers said that the Nixon Administration sought a "national style which reflects confidence in our strength moderated by awareness of our limitations."

"The objectives and policies the President has established," he said, "reflect a national attitude that is neither domineering nor isolationist, neither messianic nor introverted. They reflect, I believe, an attitude of practical involvement in the world of today and tomorrow."

Mr. Rogers stressed that the American policy in Vietnam aimed primarily at "leading the United States out of the war." It was in this context that he declared that the United States' preoccupation with Vietnam had "pre-empted" national attention.

The Administration seeks "to bring about a more normal pattern of relations with the people's Republic of China," Mr. Rogers said, even though it has "no expectation" that its overtures to Peking "will produce rapid changes."

In the negotiations with the Soviet Union on strategic arms, "some progress has been made," the Secretary said, "and we remain determined to move ahead to an agreement that will contribute to the security of both sides."

Appraising Mideast Intelligence

By MILES COPELAND

LONDON—For reasons comprehensible only to those who have worked in a diplomatic service, no government can afford to keep its public fully informed on what it does in the field of international relations. Sometimes it must conceal the reasons for its actions, and sometimes the actions themselves. In some rare instances, it must pretend to be taking reckless actions while actually taking other, and to present the picture of a largely fictional picture of what is doing and why.

This is especially true when the State Department comes up with a problem such as the Arab-Israeli conflict. A diplomat newly assigned to this particular problem finds the in the possession of "intelligence estimates" provided by the CIA, the Pentagon, and embassies in Israel and the Arab countries. Then he begins to feel pressure to "domestic considerations" which he and his colleagues toward present other than those which the "intelligence estimates" would clearly dictate. Finally, he tries to devise solutions which make sense in the light of the intelligence estimates, and which can be justified by explanations which have no relation to the estimate but which accommodate to the domestic considerations.

For example:

1. Our intelligence estimators present frightening information concerning the Soviet build-up in Egypt, the increasing Soviet "presence" in the whole Mediterranean area, and the gains of Soviet naval strength east of Suez at the expense of the British. At the same time, they suggest, first, that Soviet gains have not been the result of Soviet actions, but of ours. The more we support Israel, the more the Arabs and their Afro-Asian friends welcome the Soviets. Second, the Soviet build-up is not in preparation for conquest—the Soviets would hardly try to gain by fighting what they can gain peacefully.

2. Daily, policy makers of the State Department read newspaper accounts of hawkish statements of Arab leaders: Syria's President proclaims loudly that his Government will "never" accept the existence of Israel; Iraq's President bitterly attacks Egypt's President for "defeatist tendencies," even though the speech in which the Egyptian is supposed to have shown such tendencies explicitly threatened war unless Israel withdrew "from every inch of Arab territory." And as our diplomats read such accounts they are aware that these are also being read by American opinion makers who take them at face value. At the same time, they know from the Department's own information that the most belligerent sounding Arab governments have in effect made peace with Israel already; such military preparations as these governments are making are strictly for internal purposes.

3. Our own press plays up the Soviet build-up in Egypt, and reports that "hot-headed young officers" are anxious for another round with Israel. Yet our State Department, depending not only on its highly competent diplomatic staff in Cairo but also on information coming from decades-old intelligence penetrations of the Egyptian armed forces, knows full well that Egyptian officers are possibly "fascist" but certainly not Communist, that they have little confidence in Soviet military assistance and don't like their Soviet advisers any more than the Turks and the Iranians like American advisers, that they are ready to fight for Egypt but not for Palestine or for "the Arabs," and that without the irritating presence of the Israelis in Sinai they would lack the motivation or morale to fight anyone at all.

4. Finally, our State Department officials know that Israeli intelligence estimates are roughly the same as our own. Thus, it is inconceivable that Israeli spokesmen could be sincere when they argue that unqualified support to Israel is the only way to halt the growth of Soviet influence in the area, that they are in constant dread of being overrun by the Arabs, and that they must hold on to Sharm el-Sheik as a means of insuring passage through the Strait of Tiran. The Israelis know very well that they can take Sharm el-Sheik any time they wish, no matter who occupies it, and that their presence there will only provoke revival of Egyptian hostilities.

The Egyptians, seeing the Israelis' reluctance to seize this unique opportunity to make peace, suspect that they want a no-war-no-peace situation such as Nasser once wanted and for similar (domestic) reasons. Apparently some of our NATO friends share the suspicion; so, increasingly, to some of our own diplomats. For good or for bad, right or wrong, and whatever the ultimate effect on purely American interests, we are behind the Israelis one hundred percent. But we must make our own policy in Washington and not let the Israelis make it for us in Tel Aviv. If domestic considerations stand in the way, our diplomats should clear a path for themselves by revealing the truth about the Arab-Israeli situation they have known all along but have withheld from the public. Surely the American people will approve of any position which is uncompromising enough in its support of Israel, even though it leaves it to Mrs. Meir to handle her own "domestic considerations."

Miles Copeland is a former high-ranking official of the Central Intelligence Agency and author of "The Game of Nations."

mid east

U.S. SELLING ISRAEL 12 MORE F-4 JETS, WEIGHS NEW BID

Deal Made Last Autumn to
Balance Mideast Arms—
8 Already Delivered

MIG-23's NOW A FACTOR

Soviet Aid to Egypt Is Said
to Cause Further Request
—Allon in Washington

By WILLIAM BEECHER

Special to The New York Times

WASHINGTON, April 19—The United States is delivering 12 more Phantom fighter-bombers to Israel and is considering a request for more, according to Administration officials.

Officials said that the decision to deliver the planes, previously unreported, was made last fall to maintain Israel's balance of power with the Arabs and to convince Israel that the United States would continue the flow of advanced arms despite differences between the two countries on tactics in the Mideast negotiations.

The latest request, the officials said, stems from the shipment to the United Arab Republic of nearly 200 Soviet fighter planes and fighter-bombers since the first of the year and the recent introduction of a small number of very advanced fighters, identified as MIG-23's.

The planned federation of Egypt, Libya and Syria might also affect Egypt's air power. But the French Foreign Ministry said today that the delivery of Mirage jets to Libya would be blocked if Paris found they were going to other countries.

At Rate of 2 a Month

The 12 Phantoms for Israel—8 have been delivered, the United States sources said—will bring to 80 the number of F-4 fighter-bombers that Washington has agreed in the last three years to sell Israel. Six reconnaissance versions of the F-4 are also being delivered this year.

On the matter of an additional request, the Israeli Deputy Premier, Yigal Allon, speaking at Dulles Airport today, said that Israel was making no new requests for equipment "for the time being."

The sources say that the newest deliveries have been made at a rate of two a month since the first of the year. The four remaining fighter-bombers are expected to be sent next month. Deliveries of the

Continued on Page 6, Column 1

six reconnaissance Phantoms, which were part of a commitment made by President Johnson, are scheduled to be completed this month.

Since the United States started delivering phantoms to Israel, in the fall of 1969, about nine F-4 fighter-bombers have been lost over Egypt or in crashes, sources said.

Soviet Shipments Described

The Soviet shipments to Egypt continue undiminished, one source said, adding that earlier this month two Soviet ships brought 18 combat planes to Egypt. So far this year, Soviet deliveries are said to have included more than 100 MIG-21's nearly 60 MIG-17's and about 30 Sukhoi-7 fighter-bombers.

These shipments are in addition to previous Egyptian air force totals, which are put at 130 MIG-21's, 150 MIG-17's and nearly 100 Sukhoi-7's because the Egyptians are short of fighter pilots, some American analysts fear that the Russians may have to fly more of the planes themselves, beyond the 50 MIG-21's they are believed to have been operating in Egypt since early last year. Russian pilots will also fly the MIG-23's, the experts believe.

The analysts point out that while the MIG-21 is a very maneuverable aircraft, having a maximum speed of 1,300 miles an hour, the 1,400-mile-an-hour F-4 is generally considered a better all-around aircraft, not only in dogfights, but in long-range bombing and strafing.

Even with Russian pilots, four MIG-21's were shot down last July by Israeli F-4's near the Suez Canal.

The MIG-23, the experts say, is believed to have a top speed approaching 1,950 miles an hour, and can also fly higher than the F-4. At altitudes below 25,000 feet, it probably would be less maneuverable than the Phantom, the analysts say.

But if it has an effective radar-missile system capable of attacking low-flying aircraft, they continue, it could present problems for F-4's that came within its operating area. The MIG-23 can fly effectively at 70,000 to 80,000 feet; the F-4 has a maximum operating altitude of 71,000 feet.

Israel's Air Force, the sources say, will have by the end of next month more than 70 F-4 fighter-bombers, more than 100 A-4 close support attack planes, nearly 50 Mirage-III fighter-bombers, 20 Mystere-IV fighter-bombers and about 150 miscellaneous older fighters and training jets.

No Immediate Threat Seen

But since the Israeli Air Force is considered markedly superior to the Egyptian Air Force both in terms of skilled pilots and maintenance men, American officials generally do not believe the comparatively larger numbers of planes in the Egyptian force immediately threaten a shift in the arms balance.

Analysts are watching the situation closely, however, and one source said that if modern jets continued to pour into Egypt, the United States might agree to let Israel have 12 to 18 more Phantoms later this year.

Administration officials have repeatedly said that the United States would not allow Mideast air power to develop an imbalance to Israel's disadvantage.

In the closing days of the Johnson Administration, the United States agreed to supply Israel with 44 F-4 fighter-bombers and 6 reconnaissance versions, the reconnaissance planes to be delivered in 1971.

Last July the Nixon Administration agreed to supply 6 more F-4 fighter-bombers to take care of losses. Later in the summer the United States agreed to provide 18 more by December.

Then, in the fall, a decision was made to sell 12 more F-4 fighter-bombers, with the deliveries made in the first five months of 1971.

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Staff Writer

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agreed to provide
res — six of which

were replacements for Israeli losses — to augment the 50 originally granted by the Johnson administration.

U.S. policy is to replace planes lost in combat or training.

At that time, Israeli Prime Minister Golda Meir had asked for 100 more A-4 Skyhawk attack planes to double the number Israel already had, plus 42 more Phantoms. Aside from the 24 planes last fall, the rest of the Israeli shopping list remains on file at the Pentagon.

Phantoms Feared

Whatever else the United States gives the Israelis, it is the Phantoms that the Egyptians fear. Not only is the plane an excellent fighter—which the Israelis are modifying to make even better—but it can carry three times more bombs than anything the Soviets have given to Egypt.

Thus, despite the Soviet buildup, U.S. officials do not view the balance of power as having been tipped in favor of Egypt now. Israel needs continuing supplies of relatively unprovocative defensive equipment for the time being, Pentagon officials say. Undoubtedly, more planes would be provided if the situation should worsen.

Defense Secretary Melvin R. Laird stressed in a news conference April 13 that the United States would not allow the arms balance to tip and that the administration hoped for a solution to the Middle East tension through "quiet diplomacy."

Recent press reports that the United States was in fact delivering an additional dozen Phantoms to Israel touched off a furor in the Arab press and led to Arab demands for U.S. explanations.

Yesterday, State Department spokesman Charles W. Bray said that Arab governments had been apprised of "inaccuracies either in fact or implication" in these reports.

Visit by Rogers

U.S. officials were at pains to clarify the situation because of reports that anti-American demonstrations were being prepared in some Arab capitals that Secretary of State William P. Rogers is planning to visit in early May.

Before the recent buildup of Egyptian air strength, Egypt was estimated by informed sources here to have about 365 jet fighters and fighter-bombers.

Now, the figure reportedly totals slightly more than 550,

with about 200 of these believed to be Mig-21s, the standard Soviet fighter.

Normally, the Mig-21 would give the Phantom a hard time, but the Israelis have been successful in shooting it down. To improve even more the Phantoms superiority against the lighter, highly maneuverable Mig-21, the Israelis are said to be installing special slats on the leading edge of the Phantom's wings to make it turn more sharply.

Another 100 of the Egyptian planes are said to be Su-7 fighter-bombers, a plane with far less fire power than the Phantom.

Included in the new ship-

ments are also said to be about a squadron—perhaps a dozen planes—of the brand new Su-11 fighter-bomber, and the six or so Mig-23s. The remainder of the force is mostly older model Migs.

Although the Mig-23 can fly faster and higher than the Phantom, most Pentagon experts view the plane in the Middle East context primarily as a high-flying reconnaissance craft.

Deployment to Egypt of the new plane is said to be the first time it has left the Soviet Union by way high, the Mig-23 can remain out of reach of any weapon the Israelis now have.

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"We have ended the concept of Cambodian sanctuaries, immune from attack, upon which the enemy military had relied for five years . . .

"Now that our ground forces and our logistic and advisory personnel have all been withdrawn, what will be our future policy for Cambodia?"

"The following will be the guidelines of our policy in Cambodia:

1. There will be no U.S. ground personnel in Cambodia except for the regular staff of our Embassy in Phnom Penh.

2. There will be no U.S. advisers with Cambodian units.

3. We will conduct—with the approval of the Cambodian Government—air interdiction missions against the enemy efforts to move supplies and personnel through Cambodia toward South Vietnam and to reestablish base areas relevant to the war in Vietnam. We do this to protect our forces in South Vietnam.

4. We will turn over material captured in the base areas in Cambodia to the Cambodian Government to help it defend its neutrality and independence.

5. We will provide military assistance to the Cambodian Government in the form of small arms and relatively unsophisticated equipment in types and quantities suitable for their army. To date we have supplied about \$5 million of these items principally in the form of small arms, mortars, trucks, aircraft parts, communications equipment and medical supplies.

6. We will encourage other countries of the region to give diplomatic support to the independence and neutrality of Cambodia. We welcome the efforts of the Djakarta group of countries to mobilize world opinion and encourage Asian cooperation to this end.

7. We will encourage and support the efforts of third countries who wish to furnish Cambodia with troops or material. We applaud the efforts of Asian nations to help Cambodia preserve its neutrality and independence.

"Our understanding of Saigon's intentions is as follows:

1. South Vietnamese forces remain ready to prevent reestablishment of base areas along South Vietnam's frontier.

2. South Vietnamese forces will remain ready to assist in the evacuation of Vietnamese civilians and to respond selectively to appeals from the Cambodian Government should North Vietnamese aggression make this necessary.

3. Most of these operations will be launched from within South Vietnam. There will be no U.S. air or logistics support. There will not be U.S. advisers on these operations.

4. The great majority of South Vietnamese forces are to leave Cambodia.

5. The primary objective of the South Vietnamese remains Vietnamization within their country. Whatever actions are taken in Cambodia will be consistent with this objective. . . .

July 1—Television interview:

Q. "Do you feel that you can give categorical assurances now that we will not send ground troops back into Cambodia no matter what?"

"The President, 'I can say now that we have no plans to send American ground forces into Cambodia. We have no plans to send any advisers into Cambodia. We have plans only to maintain the rather limited diplomatic establishment that we have in Phnom Penh and I see nothing that will change that at this time. . . .

"The President of the United States has no intention to send ground forces back into Cambodia, and I do not believe that there will be any necessity to do so.

"When you say, can I be pinned down to say that under no circumstances would the United States ever do anything, I would not

say that, but I will say that our plans do not countenance it, we do not plan on it, and under the circumstances, I believe that the success of the operation which we have undertaken, as well as what the South Vietnamese will be able to do, will make it unnecessary. . . .

"With regard to the South Vietnamese in Cambodia, I pointed out on April 30th that our air support would stop and there would be no advisers with the South Vietnamese, that any activities of the South Vietnamese after we left would have to be on their own. . . .

"Cambodia is in the same category as Indonesia. It is a neutral country. It is a nonaligned country. We have no treaty with it.

"As far as Cambodia is concerned, our only commitment to Cambodia is the commitment that the United States for 190 years has had to the principle of international law that a country that chooses to be neutral should have its neutrality respected.

"Now that means that we are furnishing as you know, small arms to them for their own defense. It means that, in addition to that, we are trying to give them the moral support that we can. We are supporting the initiative of the 11 Asian nations who are attempting to stand with that government in its neutrality, but as far as military support, the United States moving forces into Cambodia for the purpose of helping them defend against enemy attack—that we are not required to do under treaty and that we do not intend to do. . . .

"I am not as bearish as some commentators have been about the future of Cambodia. If I could digress a moment, I think this is a question that our listeners would be interested in—Cambodia's chances of surviving as a neutral country are infinitely better now than they were on April 30th. And they are better, first, because the North Vietnamese have a 600-mile supply line rather than a 40-mile supply line back to the sanctuaries which we have destroyed.

"They are better, also, because the Cambodian Government has far more support among the people, and the reporters from Phnom Penh generally have reported that. They are better, too, because the Cambodian Government also has support from the 11 Asian nations representing 300 million people, and I think also they are better for the reason that the South Vietnamese have been very effective when they have taken on the North Vietnamese in the Cambodian area. . . .

"We do not plan to go back into Cambodia. We do plan, however, and I will use this power—I am going to use, as I should, the air power of the United States to interdict all flows of men and supplies which I consider are directed toward South Vietnam.

"That is my role of defending American men. . . .

Q. "Mr. President, in view of the Cooper-Church Amendment passed yesterday in the Senate, do you feel now obliged to suspend the negotiations with Thailand about our paying and equipping their troops that they were going to send into Cambodia?"

The President, "Fortunately, our Founding Fathers had great wisdom when they set up two Houses of Congress. . . .

"I think the performance of the Senate over the past seven weeks, going up and down the hill on Cooper-Church, has not particularly distinguished that august body, and the Cooper-Church that came out was not a particularly precise document, and was somewhat ambiguous.

"Now, fortunately, it now goes to the House. . . . And I believe that the conference of the Senate and the House, when they consider all of these factors, will first be sure that the power of the President of the

United States to protect American forces whenever they come into attack is in no way jeopardized. . . .

"If this [the Cambodian operation] had been what some thought it was, an attempt to expand the war into Cambodia, to launch a war into Cambodia, then of course, I would have gone to the Senate. You can be sure that in my administration we are not going to get involved in any more Vietnams where we do not get the approval of the Congress. I will not do this because I think we need Congressional support for our actions, and I trust we do not have to go to the Congress for that kind of support.

"But when we have this limited, very precise action which was limited in terms of the time, limited in terms of 21 miles as far as we were going to go, and which had for its purpose the protecting of American lives, I had to take the action when I did. . . .

October 7—Address to the Nation:

"When I authorized operations against the enemy sanctuaries in Cambodia last April, I also directed that an intensive effort be launched to develop new approaches for peace in Indochina. . . .

"I am tonight announcing new proposals for peace in Indochina.

"This new peace initiative has been discussed with the Governments of South Vietnam, Laos, and Cambodia. All support it. . . .

"First, I propose that all armed forces throughout Indochina cease firing their weapons and remain in the positions they now hold. . . .

"A cease-fire should encompass not only the fighting in Vietnam but in all of Indochina. Conflicts in this region are closely related. . . .

"A second point of the new initiative for peace is this:

"I propose an Indochina Peace Conference. . . . North Vietnamese troops are not only infiltrating, crossing borders and establishing bases in South Vietnam—they are carrying on their aggression in Laos and Cambodia as well.

"An international conference is needed to deal with the conflict in all three states of Indochina. The war in Indochina has been proved to be of one piece; it cannot be cured by treating only one of its areas of outbreak.

"The essential elements of the Geneva Accords of 1954 and 1962 remain valid as a basis for settlement of problems. . . .

November 18—Message to the Congress Proposing Supplemental Foreign Assistance Appropriations:

"The operations in the Cambodian border sanctuaries in May and June helped assure the continued success of Vietnamization and of our troop withdrawal programs. As we knew at the time would be the case, the operations seriously impaired the enemy's ability to operate in South Vietnam, and contributed to the progress which has reduced our casualties there to the lowest level since 1965. Continuing operations by South Vietnamese and Cambodian forces in the border areas will make possible continued progress.

"Cambodia itself has mobilized its own manpower and resources in defense of its independence and neutrality. . . . It is essential that we supplement Cambodia's own efforts by providing resources which are critically needed to enable it to continue to defend itself. Its ability to do so is a vital element in the continued success of Vietnamization.

"Cambodia's needs have been urgent, and as Congress has been informed, I have directed that funds be transferred from other already severely limited programs to meet these critical needs. I am requesting \$100 million to restore funds to such vital programs as those for Taiwan, Greece and Turkey. . . .

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"To meet Cambodia's urgent needs for the remainder of this fiscal year, I require that the Congress provide \$155 million in new funds to be directly allocated to the Cambodian program. . . ."

December 10—News conference:

Q. "... Can you foresee any circumstances whatever under which we would use ground troops in Cambodia?"

The President. "None whatever. . . ."

Q. "Mr. President, how do you plan to keep your quarter billion dollar aid program for Cambodia from escalating into a guarantee of the survival of the Cambodian Government?"

The President. "The quarter billion dollar aid program for Cambodia is, in my opinion, probably the best investment in foreign assistance that the United States has made in my political lifetime."

"The Cambodians, a people, 7 million only, neutralists previously, untrained, are tying down 40,000 trained North Vietnamese regulars. If those North Vietnamese weren't in Cambodia, they'd be over killing Americans. That investment of \$250 million in small arms of aid to Cambodia so that they can defend themselves against a foreign aggressor—this is no civil war, it has no aspect of a civil war—the dollars we send to Cambodia saves American lives and enables us to bring Americans home. . . ."

1970, SECRETARY OF STATE WILLIAM ROGERS

March 23—News conference:

"In Cambodia we recognize the neutrality, sovereignty and independence of Cambodia. We had nothing to do, directly or indirectly, with the events that transpired in Cambodia. We would hope that the events that transpired in Cambodia will not cause the war to be widened in any way . . . our program in South Vietnam . . . will not be affected by the events in Cambodia. . . ."

Q. "Regarding the neutrality of Cambodia, I believe the policy of the United States still is to sanction American troops going across the border if they are threatened. Does this in any way compromise U.S. respect for the neutrality and sovereignty of Cambodia?"

A. "Not at all; and I don't believe that any troops, since the change of government, have gone into Cambodia. But we respect fully the neutrality of Cambodia and its territorial independence . . . Cambodia has not made any request for military assistance . . . No request has been made, and we don't anticipate that any request will be made. . . ."

Q. "Do you endorse the idea of having the ICC return to Cambodia to check on what is happening?"

A. "Well, we don't endorse it, because this is a proposal made by Cambodia without any discussion with us or any activity on our part at all. As I say, this is a problem that primarily concerns Cambodia. We do think it is a very sensible idea. . . ."

Q. "Is military aid [to Cambodia] inconsistent with neutrality?"

A. "No, I didn't say that neutrality and aid were inconsistent . . . Cambodia has not requested any such aid and we don't anticipate they will. If they do, we will have to consider it on its merits."

April 18—Speech to the Cornell Alumni Association:

"The rise of Cambodian hostility over the North Vietnamese presence came rapidly and dramatically. Most governments, including ours, were surprised at the ouster of Prince Sihanouk by the Cambodian Parliament. This was an internal Cambodian development . . . the Cambodian government remained committed to a policy of neutrality and did not seek alliance with the West."

"A year ago, before we reestablished diplomatic relations with Cambodia with a small mission, we affirmed publicly our recognition and respect for the 'sovereignty, independence, neutrality, and territorial integrity' of

Cambodia within its present frontiers. The policy we expressed toward Cambodia then remains our policy toward Cambodia now . . . We respect recent Cambodian proposals to seek diplomatic measures of protection through United Nations actions and through a return of the International Control Commission established by the 1954 Geneva accords. . . ."

"The possibility of overt warfare in Cambodia [has] understandably caused concern among Americans. They ask if the war in Southeast Asia is widening . . . They wonder if this means that the period of American involvement will be lengthened . . . The objective of the Nixon administration is to avoid both these results."

"It is true, of course, that we cannot be indifferent to the military pressures by North Vietnam on the independence and neutrality of Laos and Cambodia. They affect the safety of our own forces in South Vietnam . . . We continue to believe that an ultimate settlement to the Vietnamese war must take Laos and Cambodia into account. However, we are determined not to reverse the long-term direction of our policy toward fostering more self-reliance among Asian states. . . ."

April 25—Speech to American Society of International Law:

"... The violations of those accords [1954 Geneva accords] by North Vietnam in Laos and Cambodia are explicit, uncontested, open, and without any shred of international sanction. Is it not time for nations which are signatories to international agreements actively to support them? . . ."

May 3—Television interview:

"The reason [for the Cambodian operation] was to protect the lives and safety of American men fighting in Vietnam . . . It's limited in the extent, purpose and duration . . . We're not going to exceed those limitations of the sanctuaries on the border . . . the purpose is to destroy the sanctuaries themselves . . . The President has made it clear that it's not going to last more than 6 to 8 weeks at the most . . . At that point the American troops and the South Vietnamese troops will withdraw from Cambodia. . . ."

"We made every possible effort to get negotiations started in good faith, negotiations dealing with Laos and Cambodia . . . We would hope, now that it's clear that the North Vietnamese have invaded Cambodia and it's clear that we've taken this action, that all states would become interested in discussing what they can do to guarantee the neutrality of Cambodia. . . ."

"... this is a limited action. If we were going to stay in Cambodia on any sort of a permanent condition, permanently, or even of longer duration, then obviously we'd have to have the support of the American people. But I think the American people are going to support the President. . . ."

May 13—News conference:

"What is the policy of the United States Government on South Vietnamese military assistance or cooperation with the Lon Nol government in Cambodia?"

A. "There is some cooperation between the two governments. Naturally, we encourage that. The whole Nixon doctrine as pronounced at Guam is that the Asians should work with each other to take care of their common problems . . . I think there's a limit to what we should say about what South Vietnamese troops are going to do. Originally, it was contemplated that most of the troops would be out of Cambodia by the end of July, but I don't know that I'd want to make a commitment on behalf of the South Vietnamese . . . the American troops will be out of Cambodia by the 1st of July and all the American troops will be out, including advisers. . . ."

"I said that if we did that, if we got involved in the support of the present government of Cambodia or any other government, that it would be inconsistent with the policy

of the government . . . to withdraw our troops in an orderly way from South Vietnam . . . the United States has no intention of getting involved in Cambodia with American troops in support of the present government of Cambodia or any other government of Cambodia. . . ."

"Are we concerned if South Vietnam becomes active in Cambodia with their troops, if that will make it more difficult for us to withdraw our troops from South Vietnam . . . Yes, we have made that point to South Vietnam, and they fully understand that. In other words, that is not going to disrupt the Vietnamization program. . . ."

Q. "Could you clarify for us the operation off the coast of Cambodia. . . ."

A. "Its purpose is limited. Its purpose is to intercept shipments of ammunition and supplies to the base areas in Cambodia which would be conducted by the North Vietnamese or the Vietcong. It does not apply to other powers, it applies only to movement of supplies and ammunition to sanctuary areas. . . ."

"How the Cambodians and the South Vietnamese cooperate in the future is going to have to be worked out between them. Obviously, we will play a role in that; but whatever role we played would be inconsistent with the policy we have announced, of getting out. . . ."

Q. "Are all those American operations, including the coastal patrols, to be stopped, as far as the Cambodian theater of operation is concerned, by the end of June?"

A. "Well, I wouldn't want to say that. I think we've said enough when we've said what we are going to stop."

"Insofar as the riverine operation is concerned, the Americans have not exceeded the 21-mile limit, and we don't intend to."

"Insofar as getting Americans out of the river in Cambodia is concerned, the answer is: 'Yes, that would be included.'"

"So far as patrolling international waters is concerned, that's different. I'm not sure what we will do. My guess would be that we will continue. We have had patrol of international waters all the time. This is just extending it a little bit—so I don't want to make any predictions about that. . . ."

Q. "Mr. Secretary, are you ruling out—or not ruling out—U.S. air activity over Cambodia past the June 30 deadline?"

A. "No, I haven't ruled it out at all. We had air activity over Cambodia before the change of the government, and we haven't said anything one way or the other about it."

Q. "And it also seems possible that the air support, however, interdicting the sanctuaries may continue. What about airpower in support of the Cambodian effort?"

A. "Well, that would apply to. We don't intend to become involved primarily in the support of the Lon Nol government or any other government. . . ."

"Now, in terms of assistance, military assistance by way of supplies or otherwise, the President has announced that we are going to provide some assistance consistent with the present authority that we have."

"Obviously, any larger program would require congressional approval. I don't think we have crossed that bridge. We have no present plans to embark on that kind of a program."

Q. "What you're ruling out, only, is that we will not get involved directly, militarily, in supporting the Lon Nol government."

A. "That's correct. . . ."

June 8—"Face the Nation"

"We certainly hope that the government [of Cambodia] doesn't fall; but the President has made it perfectly clear that we will not support the Lon Nol government with U.S. troops. . . ."

"It is possible that the war will be fought in a different place and it is possible that it will continue with South Vietnamese forces and Cambodian forces, and even possibly Thai forces, fighting a common enemy. But

that doesn't mean that the United States forces will be enmeshed in a combat in Cambodia. . . .

"I think it is interesting that for the first time the countries in the area—Thailand, Cambodia, Laos, and South Viet-Nam—are all working together. . . .

"The South Vietnamese have made it clear that if the enemy tries to return to the sanctuaries, they will reenter the sanctuaries. . . .

"If the government of Cambodia came into Communist hands, it would be an unfavorable development. We would hope that that doesn't happen. . . .

Q. "Would it be 'unacceptable'?"

Secretary Rogers: "No, not unacceptable in the sense that we would use American forces to support the government. . . .

Q. "Then it is irrevocable that there will never again be American troops used in Cambodia, no matter what?"

Secretary Rogers: "There is no intention of using American forces in Cambodia. . . . Our forces are going to be out of Cambodia by June 30. We will have no military people there at all, advisers or anything else. And we have no intention of having any American troops return to Cambodia. Now, South Vietnamese forces may return. The President said we may use air interdiction to protect our forces, but we will not use American forces in Cambodia. If we did, it would enlarge the war, and it might mean that we'd be there on a semi-permanent basis, and we're not going to do that. . . ."

June 25—Statement before House Foreign Affairs Committee:

"The President decided that an attack on the sanctuaries was necessary so that Viet-Namization and the withdrawal of our forces from Viet-Nam could proceed. As far as Cambodia is concerned, we want for it what it wants for itself—to be free, sovereign, neutral, and unmolested. . . .

"Our operations, as the President said last Wednesday, have achieved our major military objectives and will facilitate and ensure the success of our overall Viet-Nam policy. I might add that the effectiveness with which the South Vietnamese have fought in Cambodia increases our confidence that Viet-Namization is the right course to follow. . . ."

June 25—News conference:

"The President's policy on air interdiction is that at the present time and after our troops leave Cambodia, our Air Force will be permitted to interdict the supply lines and communication lines in Cambodia. . . .

Q. "Is one of, of course, that there will be times when, in the process of interdicting supply lines or communication lines of the enemy, that that will be of direct benefit to the present government in Cambodia. But I think the main thrust of our policy is to use our Air Force for the purpose of interdicting supply lines and communication lines to protect Americans in South Viet-Nam. . . ."

Q. "Mr. Secretary, I believe yesterday a spokesman for the Cambodian Military Command stated that American fighter bombers were doing missions in direct support of Cambodian forces. Now, was he mistaken, or do I perceive a change in our policy?"

A. "I think that I can see very well why a Cambodian might think it was helpful to the government when we fly those missions. . . .

"But our purpose is to interdict communications and supply lines of the enemy. As I say, that's our purpose. That is our policy. Obviously it may have a dual benefit. It may serve our purposes and at the same time serve the Cambodian Government. . . ."

Q. "Mr. Secretary, you said that the main purpose of American air activity in Cambodia would be to protect American troops in South

Viet-Nam. Is it not essential to the security of American troops that the government of Viet-Nam, or at least some government not unfriendly totally to the United States, remain in Phnom Penh?"

A. "I'm not sure it's essential, but obviously it's quite helpful if the government in Cambodia is neutralist and if there's stability in Cambodia. . . .

"Obviously, we have a great interest in the welfare of people all over the world, and we are assisting in some ways in Cambodia. But our purpose was not to affect the course of events in Cambodia as far as politics are concerned. . . .

Q. "Mr. Secretary, if it is our policy to desire a neutral or friendly government in Cambodia, are we willing to provide arms and money to keep such a government in power?"

A. "We have encouraged Asian nations to do what they could to help other Asian nations. We are encouraged by the fact that Cambodia, for the first time in many years, has friendly relations and diplomatic relations with all of its neighbors. . . .

"As you know, the United States has provided, and is providing now, assistance to Cambodia. In this fiscal year it's amounted to \$79 million, and we are now considering the program for next year. We do want to do what we can to support the neutrality of Cambodia, but we want to be sure that it's not done in a manner which suggests that we take over the responsibility militarily to maintain any government in office. We would hope, and we are somewhat encouraged by events, that Cambodia will remain neutral. . . ."

Q. "Can you state, Mr. Secretary, that American aircraft or American pilots will not fly close air support for Cambodian units or South Vietnamese units defending Cambodian positions?"

A. "I am not going to make any statement that might limit the use of our airpower except what I have already said. And I don't see any reason why the United States should constantly be put in the position where we tell the enemy exactly what we are going to do. Our policy is as I have stated. And we also have said that we would expect that most of the air flights of that type will be flown by South Vietnamese forces. . . ."

Q. "Mr. Secretary, can you tell us the status of negotiations to send Thai troops into Cambodia to support the government?"

A. "Well, Thailand now has that under consideration. Whether they will, and to what extent, and so forth, they haven't made a decision on it yet. So we haven't made any decisions on our support. . . ."

"If we support Thai troops in Cambodia, we would have to do it from Cambodian MAP funds. . . ."

July 7—Conference for Editors and Broadcasters:

"Our purpose in Cambodia was limited—to strike the North Vietnamese sanctuaries which were used by the enemy to conduct the war in Viet-Nam and to capture and to destroy his supplies and equipment. . . ."

"The military operations in Cambodia, we believe, have succeeded. First, the capacity of the enemy to conduct attacks against our forces in Viet-Nam has been severely damaged. . . . There has been a dramatic increase in the confidence and capability of the South Vietnamese forces. And there's prospects for the Viet-Namization program have been increased. . . ."

"The North Vietnamese are attempting to use Cambodian territory to reestablish their disrupted lines of supplies and communication to carry on the war in South Viet-Nam. American airpower is being used to frustrate these efforts. President Thieu has said that South Vietnamese forces may continue to engage the enemy in Cambodia; thus—and I think this is a point that should be underscored—thus the enemy can no longer count

on a safe haven in Cambodia to attack our forces. . . .

"We are providing limited amounts of small arms to the Cambodians and will continue to provide additional amounts of arms and other equipment to help them maintain their independence and neutrality. . . ."

"We support and encourage Cambodia's expressed desire to remain neutral. We have no other objective than to have its neutrality respected by all nations. We have no desire to associate it with SEATO or to seek to have it aligned with ourselves or with anyone else. . . ."

"Some have asked if our efforts in Cambodia modified our basic policy in Viet-Nam. The answer is no. We will, of course, adjust our actions in the light of events, and President Nixon has made it clear that if the enemy takes action which endangers our troops, he will respond. But our policy remains constant: We would prefer a negotiated settlement which results in all foreign troops leaving South Viet-Nam. . . ."

"The situation in Cambodia has, of course, highlighted the regional aspects of the Viet-Nam war. . . ."

"We are continuing to press our effort for negotiations on the problems of Indochina. . . ."

"There's nothing about a war that's pleasant, and we have made every effort to avoid any civilian casualties. And certainly in Cambodia we've made very strenuous efforts to be sure that they wouldn't occur. . . ."

"But the Government of the United States regrets the whole war. . . ."

"We believe . . . that the difference between the future and the past is that in the future they [the Communists] will have to face Cambodian troops, South Vietnamese troops, and possibly interdiction by American airpower—whereas before, they could maintain these sanctuaries with complete safety. They didn't have to concern themselves with the safety of their bases, which probably was an anomaly of warfare. . . ."

Q. "If the war goes badly against the present government in Cambodia, and if the Communists win, as they seem to be doing right now, will the United States do nothing except provide air support?"

"I think we've been pleasantly surprised about the stability of the Cambodian Government up to this time, and I would not want to make any prediction about the military future in Cambodia except to say that we are pleased at the way the young people are supporting the present government, the way the intellectuals are supporting the present government, and the way the present government has been able to recruit armed forces. . . ."

"We will not send American ground troops into Cambodia again. . . . We will use our airpower to interdict the supply lines, the communication lines, but we will not use American ground troops. Our policy both in Cambodia and South Viet-Nam, is to replace American troops with Asian troops. . . ."

"We hope that the present government, or at least a neutral government of Cambodia, continues to survive in Cambodia. . . ."

July 15—News conference:

"In Japan we had a meeting, as I said, with the Ambassadors from 14 nations in the area. . . ."

"In the course of my discussions, we had a lot of time to deal with the topic of the future of Cambodia; and although we didn't make direct requests of any government, we did make it clear that we thought that the Asian nations should help the present Government of Cambodia maintain its neutrality. And contrary to some of the stories that I've seen written, I feel quite confident that there will be good results from those discussions. . . ."

"I am not at all pessimistic about the prospect of Asian nations assisting Cambodia, because they recognize the importance of the

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neutrality of Cambodia to the security of that area. . . .

"I think that the success of the incursion in Cambodia, because it contributes to the success of Vietnamization, does increase the probabilities that the enemy, somewhere along the line, will negotiate. . . .

"The South Vietnamese forces are quite strong now. They have well over a million men well equipped, well trained; and now they've—at least to some extent—have proven themselves in Cambodia. And they have a morale that didn't exist at all last year. . . . So we think it's quite possible that they can defend themselves against the common enemy. . . .

"I found that the Asian nations . . . realize that the only obstacle to the neutrality of Cambodia is the presence of North Vietnamese troops. . . ."

October 9—News conference:

"We haven't attempted to make any statement about who might attend an Indochina peace conference, because we think it is premature. We do feel that the principal parties are the governments now in power and those who are opposed to them on the battlefield. . . .

"As far as Sihanouk is concerned, he doesn't enter the picture, I think, here. The forces in Cambodia facing the present Government of Cambodia are North Vietnamese. . . ."

October 11—"Issues and Answers":

"Our troops are not going back into Cambodia. President Nixon has made that quite clear. We think that the Cambodian Army and the South Vietnamese Army, working together, can handle any situation that might develop there. . . ."

November 25—Statement before the House Committee on Foreign Affairs:

"Cambodia's involvement in war is the result of events over which that small country has had little control. The North Vietnamese, who had long occupied Cambodia along the border provinces, decided last April to compound their violations of Cambodia's territories by undertaking actions throughout much of the country. This left the Cambodian Government no choice but to defend itself. Realizing this would require a good deal of outside help, the Cambodians reacted initially by submitting to us a request for \$400 million in assistance. The aid they asked for would have included many expensive and sophisticated weapons. . . .

"Sympathetic as we were to Cambodia's plight, and much as we realized that what it contemplated doing would contribute to our own goals in Viet-Nam, we did not agree to this approach. We recognized that if we complied with the Cambodian request we might have had to establish a large American presence to go along with the aid. We were concerned that we would be gradually sucked into greater and greater involvement as we had been in Viet-Nam and finally would be pressured into extensive use of ground forces. . . .

"Instead, we decided to use our aid in a totally different way, taking advantage of Cambodia's principal assets: its strong sense of nationalism and patriotic determination to repel the North Vietnamese invaders. Thus it was that our cross-border operations last spring were limited in time, in area, and in objective. They succeeded in depriving the North Vietnamese of free use of the border-sanctuary areas, and they greatly assisted our troop withdrawal program in Viet-Nam. They also gave the Cambodian Government an opportunity in cooperating with other neighboring nations to establish its own substantial military forces. . . .

"Since last spring, our aid to Cambodia has taken the form of providing weapons and ammunition that the Cambodians are fully capable of using themselves. . . . We have no military forces or advisers in Cambodia, nor do we intend to send any. . . .

"The Cambodians have made it clear that they want to do the job themselves. . . .

"But despite a high degree of national unity, Cambodia still lacks the wherewithal to carry on the fight. . . . For the immediate future—and particularly in the face of a possible enemy offensive during the coming dry season—additional aid will be urgently needed. . . .

"The \$70 million requested for economic assistance is essential to sustain the Cambodian defense effort and is designed only in part to offset the loss of normal export earnings. Cambodia is not creating an elaborate military machine. Rather it is set on keeping in the field units that can be rapidly trained to cope with the North Vietnamese efforts to reestablish supply lines and harass the Cambodian Government wherever possible. . . .

"Over 70 percent of the military assistance request for Cambodia is for ammunition. The remainder will be used for small arms, trucks, a small number of propeller-driven aircraft, communications equipment, river patrol boats, and similar items. . . .

"The United States is not alone in providing help. Military or humanitarian aid has also been forthcoming from neighboring South Viet-Nam and Thailand, and from Australia and Japan. . . .

"Our basic objective in Cambodia is to protect Vietnamization and our withdrawal program. . . . We believe the best way to gain the objective is to assist—with air support and aid, not military advisers or ground troops—Cambodia's efforts to defend itself. This request for military and economic assistance would do just that. If Cambodia proves unable to withstand North Vietnam's aggression, Vietnamization and the troop withdrawal program will suffer a serious setback. . . . In my testimony before Congress last April. . . . I stressed our determination to avoid a lasting military presence and a military commitment to the Cambodian government. I made clear that we had no intention of letting Cambodia become, in terms of American involvement, another Vietnam. . . .

"We adhere to those principles. . . . we feel that the money involved is certainly a small price compared to what we believe is the safety of American lives. . . . We have not planned, and we have no present plans for providing, any sophisticated military equipment. . . . They are also getting help from South Vietnam, so we believe that they will be able to maintain their armed forces successfully with this help. . . .

"The Cambodians provide intelligence information to the South Vietnamese. And we in turn get that information. Now we still are pursuing a policy which is to prevent Cambodia from being used as a base for attacks against our forces, and in that connection we try to interdict supply lines and communication lines. So from time—and there has never been any hesitation in saying this—we do bomb in Cambodia, and I can see why some Cambodian might have said that he has sent word out to the South Vietnamese about the presence of North Vietnamese troops and later on attacks were made. . . .

"We have no treaty obligation with Cambodia, and we have made no commitment with them. . . . we do not plan to build up a large mission in Cambodia. We are going to do it with a modest number of people. . . . we are going to do all we can to keep our presence small. . . . we are not considering the type of operation that we considered in Vietnam. . . .

December 10—Testimony before Senate Foreign Relations Committee:

"It is my judgment that the incursion into Cambodia has increased the prospects for a negotiated settlement. . . . I think the incursion into Cambodia would have increased that incentive. . . .

Q. "When did we first get an urgent request for arms and material from Cambodia?"

A. "It was . . . sometime in the first half of this year. . . . the Cambodian government has reduced the amount that they have requested by a great deal, and they have completely changed the character of the equipment they asked for. . . . the request they make is now quite realistic. . . . I think it would be a very serious matter for the Cambodian government if this supplemental is not approved. . . . But I think the intelligence that we get indicates that the present government is doing quite well. . . . this request will undoubtedly be followed by other requests. The magnitude of those requests will depend on events. . . . when we ask for military assistance and economic assistance for Cambodia, we certainly do make on some obligation for some continuity. . . .

"We have not taken on any commitment to the government of Cambodia. We have explained to them clearly that any fighting has to be done by the Cambodians and by the South Vietnamese and not by American forces. . . .

"We do not intend to have a MAAG or an aid mission. . . . We do not intend to use military advisers. . . .

"What would happen if our troops in any particular spot were imperiled, I wouldn't want to say. That would be up to the President. But I think that, in view of the placement of our troops, that is not likely. . . . I don't think we would get deeply involved in Cambodia and certainly not in war unless we send U.S. troops in. . . .

"Some Cambodians will be trained in South Vietnam, but they will be trained largely by the South Vietnamese. . . . There will be some training in Thailand. . . ."

1970, SECRETARY OF DEFENSE MELVIN R. LABRE

May 6—News briefing:

"I supported fully the operations to destroy the facilities in the sanctuary areas. I supported the use of Americans as required to carry out this very important mission, which I thought was needed and necessary in order to protect our Vietnamization program and also to reduce the possibility of American casualties. . . .

"In the Parrot's Beak area, gentlemen, it's a little different mission because you have to use tactical air there. You cannot use the B-52s because of the civilian population that's involved. There is no Cambodian population in this other area, it's completely occupied by North Vietnamese and VC forces. When you're in these targets that sort of operation has to be approved by me. . . .

"Many people fail to realize that we [had] had incursions into the sanctuary areas. These particular incursions started during the month of April and they were carried on an in-and-out basis entirely by the South Vietnamese and by the Armed Forces of the Republic of Vietnam forces. As far as going forward with the introducing South Vietnamese and American troops for 7-10 day operations, that particular plan had been worked on and I had presented it to the National Security Council but the National Security Council decision and the Presidential decision to implement the plan did not actually take place until Monday evening or Tuesday morning. . . .

Q. "Mr. Secretary, was there any amphibious undertaking under consideration regarding Sihanoukville at any time?"

A. "I tell you, we have a sort of contingency plans. . . .

"I want to make it clear. We're not going to become bogged down in these sanctuaries. . . .

Q. "Why didn't you ask Congress for approval for the Cambodian operation before you did it?"

A. "It was not necessary because this Cambodian operation is a part of the Vietnam program. . . .

May 22—Television interview:

"The time table which has been set by the President for the withdrawal of Amer-

San troops from the Cambodian sanctuary operation will be met in every respect. I think it would be a mistake, however, to make a firm time table and establish it here for the Vietnamese forces. I personally feel as Secretary of Defense, if the occasion should arise when the South Vietnamese forces could go into the sanctuary areas at a time when the sanctuaries are rebuilt; when there are North Vietnamese occupying the particular territory, I would recommend that they be used if they so desire. It would be a decision that would be worked out in cooperation with the Cambodian Government and the South Vietnamese . . .

There will be no American advisors in Cambodia after June 30th. The President has made this clear. This operation has been a great tactical success and it has exceeded the expectations of General Abrams thus far, as far as destroying facilities, uncovering ammunition and food. This was the primary mission from a tactical standpoint . . .

One of the things that had a tremendous influence, I think, on this whole operation has been the successes of the South Vietnamese . . . the morale has been tremendous—the morale buildup—they'll be able to go in-country and strengthen their security efforts within country . . .

Every American will be out of Cambodia by the 30th of June. We've already reduced the American presence in the sanctuary areas, and the only place they have operated has been in the sanctuary areas—the occupied territory of Cambodia which is occupied by the North Vietnamese . . . The South Vietnamese have had the major responsibility . . .

I think our primary interest in Cambodia and Laos is the effect that Cambodia and Laos have upon our Vietnamization program and the American presence and the safety and protection of the American troops which are in Vietnam . . .

As far as rebuilding the Army of Cambodia, this would be a very long process. You cannot go forward in the matter of weeks or months to modernize that particular army. So the problem that we have to look at here is the effect of the North Vietnamese invasion and occupation in certain areas of Laos and certain areas of Cambodia on our Vietnam program . . .

June 4—"Meet the Press" (with General Brent A. Wheeler, Chief, JCS):

Q. Mr. Chancellor: "Will the South Vietnamese withdraw from Cambodia completely?"

A. Secretary Laird: "I would not anticipate that the South Vietnamese would use the same time table that the United States forces do. However, the South Vietnamese have indicated that they have a primary mission within their country, and I would assume that they would soon be back within their country."

Q. "General, last night the President said, 'The only remaining American activity in Cambodia will be air missions to interdict the movement of enemy troops and material where I said the President, find this is necessary to protect the lives and security of our forces in South Vietnam.'"

Does that mean helicopter gun ships or B-52s or what is the military prognosis on that?"

A. General Wheeler: "I think he was talking primarily Mr. Chancellor, about the use of fighter-bomber aircraft, or larger aircraft than the helicopter gun ships. Again, however, I would not like to foreclose on the President's options, because it will depend upon the type of target which would be the better instrument of war to use."

Q. Mr. Chancellor: "Theoretically, sir, a number of people are worried that if a unit of the South Vietnamese Army is in trouble in Cambodia, there might be ineluctable pressures on the United States to come to

the aid of that unit. Can you foresee that happening in the months or years to come?"

A. General Wheeler: "I can only cite what the President said. He said he was going to use air power to interdict the movement of enemy supplies and men within Cambodia, if that proved necessary to protect the lives of American troops. I don't think I could, with propriety, go any further than that, Mr. Chancellor."

Q. Mr. Beecher: "Mr. Laird, I would like to follow up a little bit on that question about American air power in Cambodia against infiltration and supply targets following the withdrawal of our ground troops there at the end of the month."

"May we assume that such air strikes will not be limited to the approximate depth of 21 miles from the Vietnam border that applied to our ground combat forces, but in fact could extend far into Cambodia if the targets are far into Cambodia?"

A. Secretary Laird: "We will carry on the best kind of air interdiction campaign we possibly can. Whether that air interdiction can be carried on the best in Laos or in Cambodia is a question that will have to be resolved after the 30th of June, when all Americans will be withdrawn from Cambodia."

Q. Mr. Beecher: "In other words, if I understand you, sir—let me ask this as a question—Should the North Vietnamese establish a new supply system deeper inside Cambodia, might we apply air power there as we have along the Ho Chi Minh Trail in Laos for some time?"

A. Secretary Laird: "I think a judgment would have to be made at that time, and I would not want to make that judgment on this program. But it would seem to me that the interdiction might be carried on more reasonably in the Ho Chi Minh Trail because of the few number of choke points that would be involved. But I don't believe that it would serve any useful purpose for us to discuss the specifics of operational orders. These orders will be carried out in the best way that they can be carried out in order to protect Americans that are serving in Vietnam, and the purpose of any air interdiction of supplies or material coming down from North Vietnam through the Ho Chi Minh Trail through Laos into Cambodia, the purpose of any interdiction campaign will be to protect Americans and reduce American casualties, as long as Americans are present in South Vietnam."

Q. Mr. Brandon: "General Wheeler, would you rule out the reentry of American ground troops into Cambodia?"

A. General Wheeler: "I would have to, because the President has said that we will withdraw from Cambodia, and while I can't foresee all of the circumstances that might arise in the future, I think his intent is that we will not reenter Cambodia."

Q. Mr. Brandon: "We have also been told that the North Vietnamese are now building up a new sanctuary in South Laos. I wonder how important is it and what you plan to do about it?"

A. General Wheeler: "What they are actually doing, Mr. Brandon, is that they are extending the base complexes farther to the north in a sense but also farther to the south and we will take the appropriate action that we have taken against other base areas, both in Laos and in Cambodia. In other words, we will use air power against that sanctuary area, or that base area."

Q. Mr. Brandon: "Only air power?"

A. General Wheeler: "That is correct, sir."

Q. Mr. Novak: "Secretary Laird, when you were a Republican Congressman you were very critical of the Democratic Administration for not telling the truth about how much money the war was costing. Could you say how much the Cambodian army—this Cambodian exercise is going to cost over and

above what the Vietnam war was costing otherwise?"

A. Secretary Laird: "There will be no additional cost as far as the Vietnam operations are concerned. This is budgeted in the 1970 operational budget for our troop operations within Vietnam. . . ."

Q. Mr. Novak: ". . . Do you think they (the South Vietnamese) could have handled the incursion into Cambodia without the help of U.S. troops?"

A. Secretary Laird: "No, the operations could not have been carried out as successfully, but I do not want to take away from the South Vietnamese by answering that particular question."

Q. Mr. Novak: ". . . Why do you say it couldn't have been carried out without American troops, since they have done so well?"

A. Secretary Laird: "In the Fish Hook area we would have had to move the 25th division or the First Air Cavalry Division because they had the security responsibility opposite that area. So we would have had to move the American out and move the South Vietnamese in. It would have been a tremendous logistics problem. . . ."

Q. Mr. Novak: "Wouldn't the logistical inconvenience have been worth it, considering the political damage done to your Administration at home?"

A. Secretary Laird: "Personally, I believe that the political damage that you talk about will be non-existent in a few months, because this operation can be judged on the short term tactical successes, which have been tremendous. But the operation really will be judged on the long term strategic successes, and that will be based on the progress towards Vietnamization. . . ."

Q. Mr. Spiwak: ". . . Our operation in Cambodia highlights the importance of having a friendly government there. What will the U.S. do if the government is militarily threatened by the enemy, as it may well be?"

A. Secretary Laird: "Personally, as Secretary of Defense, I believe that we best keep our eye on the ball, and that is Vietnam. I believe that the success of the Cambodian operation should be judged in terms not of the success of the government in Cambodia, but the success of the Vietnamization program and our withdrawal program. Personally, as Secretary of Defense, I believe that the emphasis must be on the Vietnamization program and not on the rise or fall of any other government."

Q. Mr. Chancellor: ". . . What if the Russians are reading the ability of the American President to move in an unpredictable way, a way that the policy planners cannot predict? This was at least part of the Cambodian operation. And if it makes this country have a sort of nervous breakdown, as it went through for a few days after this operation, do you believe that that limits the options of the President for acting in other parts of the world? . . ."

A. Secretary Laird: "I first want to say that it never was anticipated by anyone that there would be a Kent State or a Jackson situation developing, and that was indeed an unfortunate tragedy in both cases. But I do feel that the important thing that is being accomplished in this Administration is the establishment of credibility, as far as this war is concerned. And the important judgment will be made on the 30th of June that we meet this deadline the time that has been set by the President of the United States, just as he has met every other deadline on troop withdrawal. I think this is the important thing in the long run, to restore this credibility, as far as Southeast Asia is concerned, and to move forward towards the Nixon doctrine, which has as its overriding goal the avoidance of this kind of ground involvement in Southeast Asia. . . ."

January 29, 1971

CONGRESSIONAL RECORD — SENATE

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June 26—Interview by Newsmen:

Q. "... has the policy of interdiction and bombing of Cambodia been extended to include the combat air support of both the ARVN and the Cambodian armies in Cambodia?"

A. "I made it very clear, as I testified before the Foreign Relations Committee back early in May, a policy that our government would pursue as far as air support was concerned. After the Cambodian operation, which will end as far as Americans are concerned on the ground on June 30, we will carry on an air interdiction campaign and any airpower that is used in Cambodia will be based upon the interdiction of supplies, or personnel, that threaten the Vietnamization program, that threaten Americans, that are engaged in military operations in Vietnam. The primary emphasis will be on the interdiction of supplies, materiel and personnel.

"... the primary reason for the air activities will be the protection of Americans in South Vietnam, but I would be less than frank or candid with you if there would not be a side effect as far as Cambodian and South Vietnamese troops operating within Cambodia, but the primary reason for the air operations still will be in accordance with the testimony which I gave to the Foreign Relations Committee of the United States' Senate. ...

Q. "Do you rule out close air support for the Cambodians in the future?"

A. "I do not believe that it's good practice as far as military planning is concerned to give flat answers on operating orders as far as the future is concerned. I can assure you, however, that the primary reason will be as I stated before the Foreign Relations Committee, the primary reasons for carrying on air activities in Cambodia, will be the interdiction of supplies and materiel, interdiction of personnel, to protect Americans in Vietnam, to protect our Vietnamization program, to make withdrawals of American troops a continuing process and to reduce American casualties.

"... the supply routes through Cambodia have had in the past, and could have in the future, an effect as far as our Vietnamization program is concerned, and we will continue to carry on an interdiction campaign in this area in order to protect our Vietnamization program. ...

Q. "... would a Communist takeover of Phnom Penh jeopardize ... Vietnamization seriously?"

A. "We have had periods of time when the supplies coming in through Cambodia were a very serious problem as far as the IV Corps and the III Corps area is concerned, and I would be less than frank with you if I did not indicate that the supplies through Cambodia, coming through Sihanoukville, have had an effect, a very substantial effect, on the war effort in Vietnam, and we are going to do everything we can to see that our interdiction campaign of these supplies and personnel is successful in order to protect our Vietnamization program. ..."

July 23—Speech:

"As the threat from the Cambodian sanctuaries has been blunted, and as the Vietnamization Program continues to move forward, evidence multiplies that the President's strategy and his doctrine are producing the desired results. Concern for the lives of our servicemen and for their safe return to the United States was the key deciding factor that caused the President to conduct the limited operation in Cambodia. ..."

August 6—News conference:

Secretary Laird: "I think the situation in Cambodia today is better than I had expected it would be at this time. ...

"As far as the improvement of the Cambodian Army, I think they have shown good progress. ...

"... I am concerned about the use of the sanctuaries, the use of supplying forces that can attack Americans and can jeopardize the Vietnamization program, and our troop withdrawals, and the reduction of American casualties. ...

"... I also am concerned about the use of the harbor at Sihanoukville—and the use that was made of that harbor for logistics support operations, both for the VC and the North Vietnamese. It is very important—and it has been of considerable help—to have that avenue of logistics support shut off. I certainly feel it is to the interest of our program in South Vietnam to keep the sanctuaries shut off, to interdict the supplies and personnel, whether they are coming through the opening of the Ho Chi Minh Trail on down through Laos, the use of the Mekong, or efforts to reopen Sihanoukville.

Q. "There has been some rather explicit reporting out of Cambodia that American airplanes are providing direct combat support to the Cambodian troops.

Secretary Laird: "... I am not going to discuss operating orders, but I can tell you that we will continue to interdict supplies, personnel and logistic routes. There will be certainly ancillary benefits, too, that will affect Cambodian operations; however, our primary mission, as far as the use of our air—whether it be in the southern part of Cambodia or along the sanctuary areas, or along the river routes—will be interdiction of supplies and personnel. I have been noticing these newspaper stories. I would just direct your attention to when I was in Andrews Air Force Base as I came back from my trip to Europe and the NATO meetings. I outlined that policy very clearly at that time. [See June 26 entry]. I have had personal contacts with General Abrams, prior to his going to the hospital, about the use of air interdiction in Cambodia. We are still following that policy.

Q. "Mr. Secretary, I am very much distressed ... at the difference between the policy that we are told exists and the perfectly obvious implementation of it, and most specifically John Wheeler's story from the scene this morning in great detail ... That is not interdiction by any stretch of the imagination, sir; that is close air support operations. All the talk between the airplanes and the ground controllers was recorded in this dispatch. How do you square the difference between what is reported by an eye witness with long experience with the stated policy of interdicting only those things which can jeopardize us in the South? This is an operation in a new part of Cambodia. ...

Secretary Laird: "Well, in that particular area it is very much related to the opening up of the sea area for supplies, etc. I would merely state that the decision was made by the Commanders in the field that it was an important interdiction mission to destroy—I believe, in this case, personnel. But this is a decision which certainly can be made by the commander COMUSMACV has that authority to interdict personnel and to interdict supplies.

"We have stayed by that authority and he (COMUSMACV) has used that authority. I have no criticism of the use of the authority in Cambodia. I saw one report that every request was adhered to. That certainly is not the case. These interdiction missions are flown when it is felt personnel, or supplies, or the buildup is of sufficient magnitude, or it has an effect upon the overall program which we have in Vietnam.

Q. "But 300 yards in front of ground forces under control of forward ground controller in an OV-10, sir, is not interdiction.

Secretary Laird: "Well, it depends on what you refer to as an interdiction, I think. I believe it is. It is very difficult to get these forces together in large numbers and to get concentrations of supplies. The VC and the North Vietnamese are now following the

policy of trying to concentrate their supplies and their buildup of supplies, materiel and men around population centers. You have to have forward air controllers, so that you can be in a position where you can protect civilians.

"I can assure you that COMUSMACV in his use of this interdiction authority is making every effort, with absolute positive control, so that civilians will not be involved in any way with the interdiction missions flown by the United States Air Force. I believe that it was wise to use forward air controllers under conditions such as these, in order to protect the lives of innocent people.

"... I know that it has been helpful to us as far as our program in Vietnam is concerned. Now as far as giving a factual assessment of its effect on the Cambodian situation, I am sure it has been helpful, but I can't give you a percentage nor give you that kind of a judgment. ...

"... MACV's judgment, based upon its effect upon our operations.

Q. "I'm just trying to find out how serious the military situation was in Cambodia. Could that government have survived without the benefits they received from the side benefits they received from our interdiction?"

Secretary Laird: "I would think that this would have helped materially, but I can't make the positive judgment of it and give you percentages. I think, certainly, the ancillary benefits have been helpful from the interdiction campaign.

Q. "Mr. Secretary, are there many cases where they asked for help that they would consider close air support and we denied it to them, because it was not to their benefit to do so?"

Secretary Laird: "Yes, of course, there are cases. There are cases where we can't positively control the aircraft where we would be in a position where we would not use them.

Q. "Can you break that down with any kind of percentage basis, or a number, or total number of requests, how many are honored?"

Secretary Laird: "I can't give you the percentage. No, but it is a substantial number that aren't, because they don't fit in with our overall guidelines in the area and our overall operations. ..."

September 2—News conference:

"When I have been asked the questions, even before the Senate Foreign Relations Committee, in early May, whether there would be a limit on the use of airpower in Cambodia and whether the same limit applied to ground forces I answered that very categorically that there would be no such limit. I just don't believe that anyone can find a case where I've shied away, have not given you complete and full information.

"The number of sorties is a matter which I have not released, and we are not releasing the sortie levels ... we're using air power in Cambodia to destroy supplies, to destroy buildups, to destroy personnel buildups as well as supply buildups, because we feel that this is important from the standpoint of our activities in Vietnam. I've told you that we have a commitment to Cambodia, our commitment was a free and open commitment. It's \$8.9 million in military assistance in Fiscal Year 1970."

Q. "Did you say there was a commitment to Cambodia?"

A. "\$8.9 million as far as military assistance, this is a commitment that we have made. It is \$40 million of military assistance in Fiscal Year 1971 and that commitment soon after it was made, as soon as I was asked about, I told of that commitment. In addition to that, we have a commitment which has been made on several occasions by the United States, as well as the Soviet Union, to the neutrality of the Government of Cambodia. This was made on April 16,

we came out and outlined this commitment through the Australian Ambassador in Phnom Penh. . . .

When I was asked the question of whether we had a military commitment as far as the use of American manpower to Cambodia. . . . I answered that question in the negative because as far as military manpower is concerned, we have no commitment there. The SEATO commitment that was implied by the SEATO agreement when the SEATO treaty was signed, that particular military commitment was renounced by the Cambodian Government itself. This is a matter of record. I can go through this and document every statement I have made in regard to Cambodia. Now, when you ask me about sortie rates, I've always said we weren't going to announce the sortie rates. . . .

October 11—Television interview:

"That question of [Communist] control over that land area is merely a control because the Cambodian Army is not making a challenge in the area. . . .

"[In] the question of control in a standpoint, or an unplace cease-fire, I don't think you would find that the North Vietnamese are in a position where they would actually truly control that land area. They are controlling certain sections of the land area because they are not being challenged at the present time except along the Vietnamese border. They are being challenged along the Vietnamese border by South Vietnamese forces and by some Cambodians that have been trained in South Viet-Nam. . . ."

October 12—News briefing:

"Every effort is being made by our forces to interdict supplies and personnel as they move into Laos and as they move within Cambodia. This interdiction campaign is progressing very well and the results have exceeded our expectations. . . ."

"Would we consider going back to prevent them [the Cambodian sanctuaries] from building back up?"

"The South Vietnamese have come in contact with North Vietnamese operating along the border areas of Cambodia. There have not been substantial movements, however, of North Vietnamese forces and Viet Cong forces into these sanctuary areas. The contact in these areas is being made by the South Vietnamese at the present time and we believe that the South Vietnamese forces can handle the situation very adequately."

November 25—Statement before the House Foreign Affairs Committee:

"The support we have provided them [Cambodia's forces] is directly related to our own interests because Cambodia's ability to defend itself is a vital element in the continued success of Vietnamization. Of particular importance is the fact that the diversion of thousands of North Vietnamese main-force troops to Cambodia has resulted in a sharp drop in U.S. casualties in Military Region III of South Viet-Nam. . . .

"I am firmly convinced that our continued support of Cambodian self-defense is a matter of high priority. As an indication of the urgency of this request, I would mention that 70 percent of the supplemental funds will be used for ammunition. . . ."

November 25—Testimony before the House Committee on Appropriations:

"It is not believed that the increase in military and economic assistance to Cambodia is getting the United States too deeply involved in Cambodia. We have made and are making every effort to restrict our presence and involvement in Cambodia. We have provided military assistance to maximize the capacity of the Cambodians for 'doing it themselves' as envisaged under the Nixon doctrine. As the President explained on June 30, we have no ground personnel in Cambodia except for the staff of the Embassy, which is small, nor do we have an U.S. advisers with Cambodian units. We do conduct air interdiction in a portion of Cambodia.

but this is to protect our forces in South Vietnam. In sum, our aid is designed to give the Cambodians the wherewithal to fight the North Vietnamese, rather than us doing it for them. The Cambodians have shown good morale and great resolve to run their own affairs. . . .

"We will conduct—with the approval of the Cambodian Government—air interdiction mission against the enemy efforts to move supplies and personnel through Cambodia toward South Vietnam and to reestablish base areas relevant to the war in Vietnam. We do this to protect our forces in South Vietnam. . . .

"There are approximately 50,000 of the enemy operating in Cambodia. It is of very great importance to our Vietnamization program that the Cambodians have the capability to meet this military force. We are confident that the Cambodians can make the kind of effort that is necessary to protect themselves if we can go forward with this military assistance program. . . .

"At the time of the Cambodian sanctuary operation, in which American forces were involved along with South Vietnam forces, there was a total of about 38 North Vietnamese battalions engaged in that area, Cambodian forces, along with some help from the South Vietnamese forces, are meeting that military challenge at this time. If we are going to continue our troop reductions in Vietnam beyond the May 1 announcement which has already been made by the President of the United States, it is absolutely essential that we keep the enemy's Cambodian logistic supply route to Vietnam closed, particularly the part formerly called Siem Reap. This has a substantial effect on the protection of the lives of American service personnel, and stability of III and IV Corps as far as Vietnam is concerned. . . .

"Prior to the change of policy by Cambodia and the shutting off of the logistic supply routes, most of the logistic supplies for III and IV Corps came in through Cambodia. Closing these routes has been of very great assistance to the forces in Vietnam. It is a real plus as far as providing increased possibilities for further troop reductions in Vietnam are concerned. It is a very small investment to provide this money in the form of military assistance to the forces of Cambodia, when one considers the daily cost of the war in Vietnam, particularly at the high level of 1968. . . ."

December 11—Testimony before the Senate Foreign Relations Committee:

"In Cambodia, at the present time, the Cambodian regular forces are tying down over 50,000 regular North Vietnamese forces. In addition to that, they are tying down 100,000 or more VC forces that are operating within their country. . . . We believe that when the Cambodian government has the volunteers, but does not have the military equipment they need, it is better for us to equip those volunteers to meet this force than to involve American combat forces. . . ."

Q "If Cambodia is in danger of falling, what would you recommend that we do?"

A "Well, the first thing that I would recommend would be to encourage a greater use of South Vietnamese forces should they be requested by the Cambodian government. . . . There are no approved contingency plans which contemplate the use of Americans in Cambodia as ground combat forces. . . ."

"If you take the situation that existed earlier this year the air war in Cambodia has decreased. It has substantially increased during the past month as far as the South Vietnamese forces are concerned, but the number of missions flown by U.S. pilots, as compared with South Vietnamese pilots, is much smaller. . . ."

"The U.S. Air Force is flying interdiction missions in Cambodia. These interdiction

missions are limited to ground concentrations, movement of supplies, et cetera. . . . The South Vietnamese are conducting some close air support. We do not have U.S. ground spotters positioning our U.S. Air Force attacks. We have very stringent rules. . . . Those rules provide that there will be no use of interdiction missions by the U.S. Air Force near villages or cities where there are concentrations of population. . . . If a target involving personnel or logistic supplies is in an area where it can be hit without damage to civilians or populated areas, we do use air power to destroy it. . . .

"We have flown interdiction missions in all areas of Cambodia at the request of the Cambodian government. . . .

"The only involvement we have with Cambodia is in the military assistance area, and in the economic area. . . . I would assume that we would continue for some period of time to give military assistance and economic assistance, but that is the extent of our involvement. . . ."

1971, SECRETARY OF DEFENSE MELVIN R. LAIRD

January 11—On Arrival at Hickam A.B., Hawaii:

Q "Mr. Secretary . . . could you give us an idea if in fact, it seems to you that the Communists are switching focus of their offense in South Vietnam to Cambodia?"

Secretary Laird: "I think the enemy threat in South Vietnam is not as great as it was a year ago. The threat in Cambodia remains about the same, but the threat in South Laos is increased considerably during the last twelve months. . . ."

" . . . members of my party visited Cambodia and reports on the progress being made with the new military assistance program, which has been approved by the Congress by an overwhelming vote, would indicate that the military situation was improving, and that the Cambodians were making some progress with the Military Assistance Program. Of course, it's only had about four weeks to be implemented, but the progress thus far, I believe, is adequate. . . ."

Q "Sir, do you read the Congressional mandate on the non-use of American troops in Cambodia to permit the use of American airpower that you feel is necessary to break the stranglehold on the highways around Phnom Penh?"

Secretary Laird: "Yes, I do. . . ."

Q "Is there going to be an airlift in Phnom Penh?"

Secretary Laird: "There has been an airlift in Phnom Penh. There has been material that has been airlifted. The South Vietnamese have had several airlifts in there, and I would assume that air, waterway, the other means, would be used to deliver the military equipment that has been authorized by the Congress. I think it was a rather substantial development as far as the Congress was concerned, that we had this overwhelming vote in favor of the Military Assistance Program for Southeast Asia. It shows the true application of President Nixon's Guam Doctrine, in which we move from military manpower in Southeast Asia to military assistance. . . ."

January 20—News conference:

"Members of my party, including Admiral Moorer, visited Cambodia. In Cambodia we are seeing the Nixon Doctrine at work. Asian nations are joining together in ground combat against the Communist aggression. These nations are providing the manpower for their own defense. As has been stated repeatedly since the President enunciated the Nixon Doctrine in Guam in 1959, the United States would be and is prepared to provide material assistance and air and sea assistance to our allies and our friends in Asia. . . ."

" . . . They [the Cambodians] have the support on the ground of their neighbors, the forces of the Republic of Vietnam. The people of Cambodia know that there will be no [American] ground combat forces committed

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to their country, but they also know—and this is most important—that they have the support of the American people as expressed in the overwhelming vote of the United States Congress in favor of military assistance to that country to help themselves in their defense.

"In short, the United States is fulfilling its pledge under the Nixon Doctrine to assist our friends and allies, but not become involved in ground combat. This is really a case of ground combat personnel, no; military assistance, yes. It is a case of manpower, no; but assistance, yes. . . .

Q. " . . . In June of 1970, Mr. Nixon and others in the White House indicated that there would be an end to combat air support and our logistics support directly in Cambodia once our troops on the ground had left there. This policy seems to have changed in recent weeks. Can you explain what this change in policy is?"

Secretary Laird: " . . . the President said, I believe on June 30, that air support would not be used or not necessary during the termination of those sanctuary operations. This was a correct statement, because the South Vietnamese Air Force at that time felt that they could perform the air support that was needed and necessary to finish up those sanctuary operations prior to the rainy season setting in, which of course terminated that phase of the Cambodian operation as far as the South Vietnamese were concerned.

"We did, however, use air power in Cambodia, and we have continued to use it, although it was not directly related to the South Vietnamese sanctuary operation. We have continued and as the President said in that same statement on June 30, he said we will conduct with the approval of the Cambodian Government—I am paraphrasing this—air operations against enemy forces as they move supplies and personnel through Cambodia towards South Vietnam and re-establish their sanctuary areas.

"I don't want to get into a semantic problem here of what this mission is called, or that mission. I have always called it 'air activities,' 'air support' as far as Cambodia is concerned, and I don't care to get into a question of semantics on that. We will use air power, and as long as I am serving in this job, I will recommend that we use air power to supplement the South Vietnamese forces, as far as the air campaign in South Vietnam, Laos and Cambodia. . . .

"The South Vietnamese will be in a position, as the Cambodians will be in a better position. The South Vietnamese are acquiring the air capability, and the movement that we've made with the transfer of well over 300 helicopters in this last year, I think is significant progress. The progress we are making as far as the fixed wing aircraft is concerned is important. But we are going to supplement as far as air power is concerned.

"I don't want anyone to leave this room with any other understanding. I have outlined that to the Congressional committees. We have this authority. It was spelled out clearly in the Congressional legislation which passed. The authors of the amendments which limit ground combat activities, which I support, and which I will see are lived up to by this Administration and by the Department of Defense.

"We will follow those Congressional mandates. But as far as air and sea activities, the law is very clear that as far as the sanctuaries or as far as protecting the Vietnamization program, protecting American lives, insuring withdrawal, all of these terms are written very emphatically and clearly into the Congressional legislation, which passed in this last session of Congress. We will abide by those Congressional mandates and we are living within those Congressional mandates today. . . .

" . . . supplemental air power has been used to supplement the forces of South Viet-

nam . . . the vast majority of all of the supplies that moved into III and IV Corps did originate in that area near the Port of Sihanoukville. This route to the sea is important, and every effort will be made to see that it cannot be used as far as a supply route by the enemy.

"The South Vietnamese contrary to some reports went into this area on the ground, and there has been some airlift within the area, which both the South Vietnamese and the United States have provided. There has been air support flown by the South Vietnamese, the Cambodians, and the United States Air Forces. I consider this an important use of air power, and believe that it is important to see that the logistics supply routes and the restocking of the sanctuaries be made as difficult as possible during this very important dry season. . . . We have recently received a favorable vote, an overwhelming vote from the House and the United States Senate to support a military assistance program for Cambodia. . . .

Q. "Mr. Secretary, you are talking about the Nixon Doctrine and you are talking about material assistance. Have you broadened it by saying it also includes air assistance and seapower assistance?"

Secretary Laird: " . . . We are making it clear . . . that our assistance will be in the way of material: will be maintained in the form of sea and air power, but that we do not place the reliance on the commitment of ground combat forces that the previous administration did in this area. . . .

Q. "Are you saying that the Nixon Doctrine only precludes the use of ground combat forces, period?"

Secretary Laird: "The Nixon Doctrine applies to building up the strength of our allies in that area and performing the needed and necessary support requirements in order for us to maintain an adequate deterrent as we move towards peace in that area, and it does place the emphasis on the idea of partnership and strength.

Q. "Does that mean an open ended commitment to all countries of the Southeast Asia with the exception that no combat ground troops will be committed there?"

Secretary Laird: " . . . the emphasis shifted away from the reliance on American ground combat forces. We're not using any ground combat forces in Cambodia. And I can assure you that we will not.

Q. " . . . Does this mean that there might be other ground forces introduced? Secondly, does the Nixon Administration feel that no matter what has been said at one time, that it has no right to change its mind and take a different step if the exigencies of the situation demand it and it is not outlawed by Congress?"

Secretary Laird: "I think it is important that we maintain our relationships as clearly as possible and live within the Congressional mandates that we have and we are doing that. . . . We are going to do our best here in the Department of Defense and within this Administration to assure that this military assistance program will be carried out as effectively and as efficiently as possible.

"This will require, of course, that we audit the delivery of equipment and ammunition under the military assistance program. . . . that audit responsibility will be carried out by our military equipment delivery teams. . . . we will keep the military delivery assistance teams at a very minimum level. I think you will probably find that the General Accounting Office will have more people checking it than we do because we are making an all-out effort to keep the military presence, as far as the military delivery teams are concerned, at the absolute minimum.

Q. "Mr. Secretary, is it your contention that if anyone is supposed at the use of helicopter gunships and/or other aircraft, which appear to be providing close air support, that they did not understand properly

what you and Secretary Rogers said in your appearance on the Hill when some people got the impression that what you were saying is that you planned to use force or sharply limit or indeed even ban the American use of close support air power to avoid getting us involved deeper in Cambodia?"

Secretary Laird: "As I have said here before, I don't want to get into the semantics over what we call it. I have called it 'air support.' It's to stop the movement of personnel; to stop the movement of supplies; to put a halt to enemy buildup and to give the kind of air and logistics support that are needed and necessary where the South Vietnamese forces cannot support for themselves and the priority first goes to the South Vietnamese forces to use their air asset and, as they are acquiring more and more, they will have more and more responsibility in this area.

" . . . If you will read over the 'Meet the Press' statement, with all my apologies to you, in which I was on a program with Senator Church and Senator Covel, you will find that both of them in interpreting the most restrictive language that had been proposed . . . indicated . . . that that language did not limit air support.

Q. "Mr. Secretary . . . is it a fair inference to conclude that if the South Vietnamese in any operations get in over their heads in the area of transporting troops or supporting them with firepower from the air, that we will help them out?"

Secretary Laird: " . . . I think you will find that we did not give air support as the sanctuary operations closed up as far as the South Vietnamese were concerned, but we were flying air operations in Cambodia, Laos, South Vietnam. I think there must be a misunderstanding on the part of some over the number of sorties. The number of sorties being flown at the present time in the last two months, or compared with the sorties flown during the summer of last year, there were more sorties flown last summer than are being flown today in Cambodia. The situation is such that we have de-escalated the war. . . .

Q. "Mr. Secretary, have we not ourselves committed to the defense of Cambodia, to the point that if it appeared about to fall because of its importance to the continuation of the Vietnamization program, you might have to consider going to Congress and ask permission for them to use American ground combat troops in Cambodia."

Secretary Laird: "No, there are no such plans. The situation is, first, we are going to make every effort to see that this military assistance program, which was approved by such an overwhelming vote, is successful as far as Cambodia.

"Secondly, and I will repeat this, we will not—and I repeat it again, not—commit U.S. ground combat forces to Cambodia directly or indirectly.

"In the third place, as far as Cambodia is concerned, we are supporting the ARVN in Cambodia with air activities which are designed to prevent the reestablishment of the sanctuary areas and the logistic supply routes into those sanctuary areas.

"It is obvious, I think, that these air and logistic activities help all of the friendly ground forces as far as Cambodia is concerned. But the primary emphasis, as far as we are concerned and as far as our Government is concerned, is that there is being carried on as part of the overall effort to interdict and to stop the flow of enemy forces which would have an opportunity to attack U.S. personnel stationed in Vietnam.

"I recognize that there are those that criticize this position which I hold and which is the position of the Administration. But so long as I am Secretary of Defense and have this responsibility, I would much rather endure the criticism than to permit the enemy by an uninhibited flow of supplies and personnel to be in a position where they

could inflict casualties and attacks on American military personnel as we continue, as we continue to remove Americans from South Vietnam.

Q "You haven't said what we would do if Cambodia falls, Mr. Secretary.

Secretary Laird: "I don't anticipate that Cambodia will fall if our military assistance program is successful. This is a critical period, as I have said earlier. When you go from 30,000 to over 200,000 in the military force, they have the will, they have the desire to meet the enemy, the invaders from the North. I am confident that they will be successful in their efforts. But I want to make it abundantly evident to you, Bill, that there are no ground forces involved and there will be no ground forces involved.

Q "Mr. Secretary, as I read the President on June 30, he would permit interdiction activity in Cambodia after the withdrawal of our troops, but would preclude both close support and logistic support. As I understand your today, you say that close support and logistic support however described, are now permitted.

Secretary Laird: "I don't use those terms. I talk about air support. I have always talked about air support.

Q "That kind of activity, however described, is permitted by two things: One, a definition of what the Nixon Doctrine is really all about; and, two, the fact that the Congress didn't preclude this kind of activity in voting a supplemental and restricting ground combat activity?"

Secretary Laird: "You are correct in both cases. The Congress did not preclude this, and it has always been anticipated by me in all of my testimony that air support would be used.

"The use of helicopter gun ships and the improvements that we have made in the last year on the helicopter gun ship has been important. It's been much more effectively used, and some of the other gun ships are much more effective than they were a year ago as far as stopping logistic movement. . . .

Q "Do you anticipate that this commitment of air support, as you put it generally, is going to be semi-permanent or for the next several years?"

Secretary Laird: "No, I don't. As a matter of fact, first, we are in this period when the Cambodians are building up their military strength and they are going forward with that program and have made what I believe is good progress for a short six months.

"As far as the Phase II of the Vietnamization program which I have discussed with all of you many times, that program does take longer than the turn over of the ground combat responsibilities because of the training that is involved. But the South Vietnamese will be in a position where they will not have to call on additional assets in the not too distant future.

"I don't want to give the number of months or the amount of time that's involved in that, because we are not making forecasts or projections in this department as long as I am Secretary of Defense. We make certain statements and we deliver on them, but I am not setting up some target goals that we can't deliver on. I can assure you that the progress is good with that training. As far as fixed wing aircraft is concerned and as far as rotary aircraft, the South Vietnamese are indeed making good progress.

Q "Does the letter and the spirit of your mandate from the Congress and from the President include U.S. ground forces in Cambodia which are not combat troops? In other words, would your mandate permit the sending of a communications unit or a field hospital or some unit which is not directly combat connected?"

Secretary Laird: "So far as the law is concerned, it would not prohibit that. It does not prohibit of course military assistance delivery

teams. It does not prohibit search and rescue operations. . . .

"The spirit and the letter of the law would be followed and you could do the things that you outlined. . . . I don't want to give the impression that we have plans to go beyond the military delivery teams which we will have supervising the programs.

Q "How many of those will be involved?"

Secretary Laird: "The number of people."

Q "Yes, sir."

Secretary Laird: "The number of people involved at the present time in military delivery—don't hold me to this too closely, three or four on either side, give me a little leeway—is 12.

Q "As the legislation is drawn, as you are discussing it, do you consider yourself precluded from operating, say, division or regimental level advisors, to the Cambodians and the South Vietnamese operating in Cambodia?"

Secretary Laird: Yes.

Q "Mr. Secretary, how much more air power are we prepared to use in Cambodia, above present levels?"

Secretary Laird: "I would doubt that we would get up to the level of last year, but we could. I don't want to be in a position of putting a sortie limitation as far as Cambodia, if that is what you want. I am not going to do that. Because I have told General Abrams that I want him to do everything he can to continue to keep American casualties low.

Q "Mr. Secretary, does that mean that there are no inhibitions of any kind on the use of American air power in Cambodia?"

Secretary Laird: "I don't care to discuss the operating orders. I have never discussed the operating orders which I have approved in substance. I can only say to you that there are certain protections written into those orders; there are certain controls that are written into those orders."

"ECONOMICS OF AGING" REPORT PRESENTS GRIM FACTS

MR. WILLEAMS. Mr. President, the Senate Special Committee on Aging has, within recent days, released a report called "Economics of Aging: Toward a Full Share in Abundance."

That report follows a 2-year inquiry during which the committee took more than 2,000 pages of testimony and exhibits. In addition, the committee received eight working papers or information sheets prepared by task forces or individual authors.

It is no exaggeration to say that the committee effort is the most searching congressional evaluation of what might be called the personal economics of aging. Our goal was to show exactly what is happening to individual older Americans who must attempt to live on inadequate, fixed income while expenses of daily living steadily rise. The committee took much testimony, not only from authoritative experts, but from the elderly themselves. Our final report includes extensive excerpts from the testimony of both groups.

To summarize very briefly, the report: Declares that poverty increased among 65-plus Americans by 200,000 between 1968 and 1969, and by 12,000 for those from ages 60 to 64. For all other age groups, poverty declined by 1.2 million. Older Americans are twice as likely as younger persons to be poor. 4.8 million 65-plus individuals were living in poverty in 1969.

Emphasizes that aged Americans live on less than half the income of those under age 65, despite the stopgap 15-percent social security increase of December 1969.

Reports that a new group of aged poor may be in the making among those now 55 to 59, because one out of every six men now in that age group will be out of the work force by the time he reaches his 65th birthday if present trends continue.

Points out that so-called older workers—those 45 years or older—are hard hit by current unemployment. Since January 1969, the number of jobless men in this age group has jumped from 596,000 to 1,017,000. The report says:

Their unemployment lasts longer than that of younger workers, and the older person has greater difficulty in finding work at the same pay level after a prolonged layoff.

Describes the problem of the elderly homeowner who finds it increasingly difficult to pay property taxes, including one woman who paid more than half of her total income of \$1,958 for taxes and a special assessment. Household costs take about 34 percent of the average retired couples budget.

Criticizes the forthcoming increase, from \$5.30 to \$5.60 a month, in the medicare part B premium. The report says that the average health bill in fiscal year 1969 was \$692 for a person past age 65, six times that for a youth and 2½ times that for persons from 19 to 64. Medicare pays less than half of the total medical care costs of the elderly.

Warns that inflationary pressures are especially severe on elderly homeowners because of the direct relationship between the local property tax and high-cost local government services.

Among the recommendations made in the report were the following:

That Congress speedily enact the social security amendments adopted by the Senate, modified to include the House-passed provision for financing cost-of-living increases.

That the 92d Congress gives early attention to major changes in social security benefit levels that are needed to provide meaningful economic security for those who retired and to assure that workers retiring in the future will realize their full stake in retirement security.

That serious consideration be given to the use of general revenues in the financing of the social security program, with the share identified through a formula spelled out in the legislation.

That the Federal commitment to the elderly undertaken through the Family Assistance plan be translated into a whole-hearted commitment, with 100 percent Federal financing and Federal administration.

Turning to private pensions, the committee recommended that immediate attention be given to the special problem of safeguarding the retirement income of workers who lose their jobs as a result of plant shutdowns, commonly after long service and who—like the deteriorating plants that are first to be shut down—are likely to be middle-aged and older.

That the 92d Congress give prompt consideration to legislation—establishing an Institute on Retirement Income. The

rounding the world became seriously harmed by thick, noxious clouds of pollution. Toxic pesticides and detergents, oil slicks of frightening proportions, uncontrolled waste and effluent spoiled and destroyed our rivers and lakes. Eminent biologists warned us that the precious oceans might be devoid of productive sealife in 50 years at the present rate of pollution.

This policy of trading away the future for the luxurious and easy present led us, perhaps by default rather than by design, to a point where we found ourselves, in the words of Pete Seeger, "standing knee deep in garbage, throwing rockets at the moon."

The issues comprehended within the Genocide convention are almost always associated with threats or breaches of international peace and security because of armed conflict. Yet the threat posed by an environmental catastrophe is just as serious as that posed by genocide or war. The right to a decent environment is protected by the United Nations in its Declaration of Human Rights. Both are vital to preserving human liberty and freedom.

Each day as we read the newspapers, we hear of one more animal being placed on the endangered species list; one more lake or ocean being ravaged by oil; one more timberland being cut to ribbons by the menacing jaws of the lumber industry. We hear of watersheds and grasslands, owned by the public, being destroyed by the hooves and teeth of flocks of sheep. One Member of this body described this tragic state of affairs as buying "environmental disaster on the national installment plan."

Again and again, we hurl crude clubs against the fragile web of life on earth. Again and again, we dismiss the warnings of eminent biologists and scientists. One-third of the world's original forests are gone; over 280 million acres of crop and range land have been degraded in our history as a country; one-third of our 9 inches of precious topsoil has been washed away. The industrial nations of the world, like hungry beasts, scour the earth to satisfy their rapacious appetites. In the board rooms of giant corporations, decisions are made that vitally affect the life of millions and the health of Mother Nature herself.

In this decade, it would be wise for us to ponder what it means to go to the moon and still have millions starve; to transplant human hearts, yet continue to refuse "medical aid" for the environment; to travel to Paris a little faster in a giant boondoggle SST, yet find it impossible to travel to work easily and cheaply; to have instant replay for millions of TV viewers, yet find our priceless wilderness areas vanishing from sight, impossible to bring back by any technological feat.

It is clear that international cooperation on an enormous scale is an imperative if mankind is to avert ecological catastrophe. With the ratification of the Genocide Convention, we can take a much needed step toward building a body of international law—a prerequisite for international cooperation. Interna-

tional cooperation is necessary to prevent genocide and preserve human dignity and freedom yet it is also so extremely important to prevent environmental destruction.

The challenge before us is one of epic proportions. All the talent, resources, and energy of mankind will have to be harnessed if we are to restore the health of Mother Nature. It requires not only a reordering of priorities, but almost a total change in national outlook and thinking; it requires a concern for the quality and not quantity of life; a society that conserves resources and does not consume them at bizarre rates; a society that values its environment as something more precious than all the trinkets of consumerism; a people that cherish all life, animal or human. The environmental crisis affords us, ironically, the opportunity to engage in far-reaching international cooperation, to harness the common concerns of mankind for a healthy, full and dignified life. Nations who once only spoke to each other with weapons, can open a dialog of international concern over the destruction of the environment. It is to this hope of international cooperation that the Genocide Convention speaks; it is to this dream of mankind that we must address ourselves.

We cannot speak of preventing genocide and preserving human dignity and freedom and ignore the threat of environmental suicide. The challenge of preserving man's health and that of Mother Nature addresses itself to the question of how far man can use knowledge and human resources in shaping his destiny. For too many years, we have stood aloof from this question as regards the Genocide Convention. I hope the Senate will act on the Genocide Convention at the earliest possible opportunity.

YET ANOTHER QUAGMIRE?

Mr. MONTROYA. Mr. President, it is increasingly obvious that the situation in Cambodia is deteriorating alarmingly in military terms. That nation's armed forces are unable to cope with the military situation. Much, if not most, of its territory is under effective Communist control. Phnom Penh, the capital, is in a virtual state of siege, as vital supply lines are choked off. It is useless to deny the actuality of the situation.

In retrospect, incursions of American strike forces into the so-called sanctuaries last year have proven to be futile from a military viewpoint. Our efforts to assist the Cambodians to defend themselves seem to have emerged as a sterile exercise. Yet now it seems that even more substantial American military involvement is underway. As I read matters, this would be a twin mistake. First, it is a violation of restrictions laid upon such involvement by fiat of the Senate of the United States. Second, it is futile in a strictly military sense. We are throwing good resources after wasted ones. If such steps were useful in a political sense, I could see necessity for it. Yet it is not. We are again thrashing about in the interior of Indochina, gaining no significant geopolitical advantage. Further, we are seemingly exchanging one military

battlefield in South Vietnam for another in Cambodia and Laos. Just as we seem to be vacating one area of operations where military success was impossible, we are plunging hip deep into a worse place.

The political stability of Cambodia is far less than that we managed to bring into being in South Vietnam. Any involvement in Cambodia brings about almost immediate intertwinement in Laos. Military ability of this inner area of Indochinese states is as lacking as their political stability and institutions.

We are plunging into the interior of a vast area replete with more geographical obstacles than South Vietnam. Virtually impenetrable jungles. Rugged mountain ranges. Diseases medicine has rarely even heard of. Wildlife that presents uncounted dangers to troops. Is this sensible? Has our decade-long involvement in South Vietnam not taught us anything? Are we doomed to repeat past mistakes?

Mr. President, as the military situation deteriorates, we are faced with an easily predictable timetable. Ali-ou's action by our forces has not allowed the Cambodians, even with substantial South Vietnamese military aid, to turn the military tide. Deepening involvement can only drag us in on the ground.

Reports of an airlift of Thai troops into southern Laos adds another ominous aspect to this total picture. The Red Chinese have a substantial military presence in that area. A road has been built from the Chinese border across much of Laos. Thousands of Red Chinese troops are in segments of Laos, guarding that artery. If our surrogates the Thais, come into actual contact and conflict with these Red Chinese troops, will we back them? Will we open up another theater of war against Red China? The American people have a right to know of these equations and the decisions that may be asked to make.

I feel strongly that we should not exchange one arena of futile combat for another that may prove even more useless and draining. Congress has spoken firmly against commitment to the Indochinese interior of American troops. The administration can and must heed this solemn drawing of lines. I have a desire to see more billions of dollars hurled away into the teeth of an all-consuming Asian wind. Those boys are needed here. Those dollars are desperately needed at home—in a thousand cities and towns.

I am not a peace-at-any-price Member of this body. Yet there is serious consideration as the exercise of elementary commonsense.

America's people want an end to our massive involvement in South and Asia. Arms and training for our allies are well and good. But another Vietnam? Never.

LABOR UNIONS

Mr. FANNIN. Mr. President, labor unions hold awesome power in our Nation. Labor officials are virtual dictators in a number of industries.

I am concerned about what these unions have done and are doing to American business. Unreasonable demands have driven wages so high as to wipe out many plants, businesses, and even entire industries.

But more important is the fact that these powerful union leaders hold such power over the economic life and death of individual Americans.

I was appalled that the Supreme Court of the United States recently struck down a Georgia law authorizing a person to get off dues checkoff at any time. It is unreasonable to require a person to continue paying union dues for a year or more after he has declared his desire to quit a union.

Another battle against unreasonable union power has been launched by columnist-commentator William F. Buckley, Jr. He is challenging the American Federation of Television and Radio Artists.

The Tucson Daily Citizen, in its January 15, 1971, editions, ran an editorial concerning this suit. I ask unanimous consent that the editorial be printed in the Record.

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

BUCKLEY'S BATTLE

The battle that William F. Buckley, Jr. has undertaken in attacking the constitutionality of forced union membership has meaning for all Americans.

The popular editor and columnist (whose column will begin appearing on this page next Monday) has sued the American Federation of Television and Radio Artists. He charges that AFTRA's union shop, of which he is an involuntary member in order to moderate the weekly discussion program "Firing Line," results in a "form of vassalage."

Mr. Buckley told a news conference that "the requirement that an individual pay dues to a private organization in order to work is a modern writ of indenture, the requirement that he do the same in order to express an opinion over the public airways involves an act of coercion by a private organization operating under government sanction."

Because Arizona is a right-to-work state, its citizens are not subject to such coercion. Unfortunately for Mr. Buckley, New York is not one of the 19 states that bans the closed shop.

The right to work simply means that an individual has the right to join a union and a corollary right to refrain from joining a union without losing his job.

It is a right that should be in effect in every state. Perhaps that will be the case if Mr. Buckley succeeds in his suit.

Because Mr. Buckley's suit claims that his constitutional rights under the first, fifth and ninth amendments are being breached, its results could have nationwide impact.

A REVISED PROPOSAL FOR DIRECT POPULAR ELECTION OF THE PRESIDENT

MR. BAYH. Mr. President, nothing is more important to the confidence of the American people and to the permanence and stability of our Government than the just and equitable selection of the President and Vice President. For 5 years I have fought for enactment of a constitutional amendment allowing direct popular election of the President and Vice President. And in the 92d Congress I am introducing a revision of my proposal for electoral reform, designed to maintain this vital principle while recognizing the threat of electoral chaos

which we must avert before the 1972 presidential election.

My revised proposal contains three major features.

First, the proposal would retain the fundamental principle of election directly by the people, the only system that is truly democratic, truly equitable, and truly reflective of the will of the majority.

Second, the proposal eliminates the feature of direct election which has provoked the most vocal and repeated criticism, the runoff election. Instead, in the unlikely event that no candidate receives 40 percent of the popular vote, the President and Vice President would be selected in the alternative manner originally suggested by Senators GIFFIN and Tydings.

Third, because direct election would require a 2-year period for the passage of implementing legislation after ratification, it could not be in effect in time to prevent the danger of electoral misfire in 1972. Therefore, my proposed revision applies the so-called automatic plan to any election during this 2-year interval, eliminating the dangers of the faithless elector and the archaic and undemocratic procedure in elections decided by the Congress.

Arthur Krock wryly commented more than 20 years ago:

The road to reform in the method of choosing the Presidents and Vice Presidents of the United States is littered with the wrecks of previous attempts.

For more than a century and a half, Mr. President, we have recognized the perils of a system that leaves the choice of President to a group of independent electors—electors whose freedom to disregard the will of the people is presently guaranteed by the Constitution. We have recognized the inequities in a scheme that allocates all of a State's electoral votes to the candidate who wins a popular vote plurality in that State, regardless of whether that plurality is one vote or 1 million votes—a scheme, I should add, that is nowhere to be found in the Constitution itself. We have recognized the grave risks that the popular will of the people can easily be thwarted either by the strange arithmetic of the electoral system or by the mischievous deeds of a handful of power brokers.

Having long recognized these obvious inadequacies, we have yet to correct them. Why? Because repeatedly in the past we have failed to achieve agreement as to the most desirable route to reform.

For that matter, there has always been near unanimous agreement as to the need for reform, but never before has there been a national consensus as to what specific type of reform was needed.

Today we have that elusive national consensus. That is why now is the best time to reform.

In February 1966, Mr. President, the American Bar Association established a special commission on electoral reform. As some Members of this body will recall, the American Bar Association, with a similar commissioner, was very helpful to us in preparing the groundwork for the consideration of the 25th amendment, and I thought it would be helpful, and

indeed it has proved to be very helpful, for the bar association to appoint another such commission to help us with this different constitutional problem.

The commission was composed of distinguished political scientists, lawyers, legal scholars, public officials, and other leaders from every section of the country and reflecting various political views. It studied the present electoral system and considered all of the various proposals for reform. After an extensive 10-month study, the commission concluded that:

The existing electoral system is archaic, undemocratic, complex, ambiguous, indirect, and dangerous.

The bar association's blue-ribbon commission further concluded that:

While there may be no perfect method of electing a President, we believe that direct, nationwide popular vote is the best of all possible methods. It offers the most direct and democratic way of electing a President and would more accurately reflect the will of the people than any other system.

In urging the abolition of the present electoral system and replacing it with direct popular election, the commission foreshadowed an emerging national consensus on the question of electoral reform.

The Harris and Gallup polls have shown, for example, that 78 percent and 81 percent of the American people, respectively, favor direct popular election. The extent of this feeling, it is important to note—is nationwide—and fairly evenly distributed throughout the country. To quote excerpts from one of Mr. Gallup's polls, the figures reveal that 82 percent of the people in the East, 81 percent in the Midwest, 76 percent in the South, and 81 percent in the West think direct popular election is both desirable and necessary.

In addition, direct popular election has been publicly endorsed by a unique and formidable array of national organizations, among them the American Bar Association, the chamber of commerce, the AFL-CIO, the United Auto Workers, the National Federation of Independent Business, the National Small Business Association, and the League of Women Voters—indeed a rather prestigious group of organizations representing broad philosophical and nationwide support.

For years, one of the arguments often raised against direct popular election was that it could not be ratified by the legislatures of three-fourths of the States. In fact, even a few direct popular election supporters, including the late Senator Estes Kefauver and Senator Henry Cabot Lodge, were deterred from pushing it because of their doubts as to whether direct election could be ratified.

In 1966, the distinguished Senator from North Dakota (Mr. BURDICK) dramatically refuted this argument by polling 8,000 State legislators and finding that of the 2,500 who responded, nearly 60 percent favored direct election. The results, once, again revealed very little variation from State to State. More recently, Senator GIFFIN polled 4,000 legislators from the 27 States thought most likely to oppose direct election—and 64

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TRIBUTE TO THE LATE SENATOR
RUSSELL

Mr. BEALL. Mr. President, although I did not have the pleasure of serving with the late Senator Richard B. Russell, I was very much aware of the significant role he played in guiding our Nation during the past four decades. My father served with Senator Russell and was, in fact, a member of the Armed Services Committee when it was chaired by our late colleague from Georgia. My father always spoke of him in the highest terms, describing him as a man of great strength, fairness, competency, and above all great dedication to his State, to his Nation, and to this Senate.

Senator Russell dedicated his life to the cause of constitutional government at home and unquestioned military strength abroad. His constancy in the pursuit of these goals made him a pillar of strength to six Chief Executives.

Those of us who are new to this body have been denied the opportunity to serve with a great Senator and a great American.

LEGISLATIVE HISTORIES OF THE
RESTRICTIONS RELATING TO
CAMBODIA

Mr. FULBRIGHT. Mr. President, in view of recent developments in Cambodia, I think it would be helpful to Senators and readers of the RECORD to have available a summary of the somewhat complicated legislative history of the restrictions passed by Congress last year concerning U.S. involvement in Cambodia.

I ask unanimous consent that there be printed in the RECORD two memorandums, one setting forth the most significant actions on the Cooper-Church amendment and the second summarizing actions concerning the prohibition on U.S. financing of South Vietnamese or other forces in actions in support of the Cambodian or Laotian Governments.

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

SIGNIFICANT EVENTS RELATING TO THE
COOPER-CHURCH AMENDMENT

I. FY 1970 DEFENSE APPROPRIATION BILL

On December 15, 1969, Senator Church offered an amendment as a substitute for an amendment offered to the Defense Appropriation bill by Senators Cooper and Mansfield. The Church amendment, as modified, read:

"Sec. 643. In line with the expressed intention of the President of the United States, none of the funds appropriated by this Act shall be used to finance the introduction of American ground combat troops into Laos or Thailand."

It was adopted by a vote of 73-17 and the Cooper-Mansfield amendment was subsequently adopted by a vote of 80-9.

II. FOREIGN MILITARY SALES BILL—H.R. 15628

Following the President's decision to send U.S. military forces into Cambodia, Senators Church, Cooper, Aiken and Mansfield introduced an amendment to H.R. 15628 designed to prohibit further U.S. involvement in Cambodia, except the furnishing of military aid, and limited air action, without Congressional approval. On May 11 the amendment was adopted, with modification, by the Committee by a vote of 9 to 5.

Debate on the bill began in the Senate on May 13 and ended on June 30 after the amendment, with certain changes, was adopted 58-37. The amendments offered to it, and the action taken on them, were as follows:

1. *Cooper*—Rewrite of the preambular language; adopted 82-11 on May 26.
2. *Dole*—Make amendment inoperative if President determines POW's were being held in Cambodia; rejected 36-54 on June 3.
3. *Byrd of W. Va.*—Allow President to retain U.S. forces in Cambodia if he thought it necessary to protect the lives of American forces—defeated 47-50 on June 11.
4. *Mansfield*—No impugning of the Constitutional powers of the President—adopted 91-0 on June 11.
5. *Byrd of W. Va.*—Relating to the Constitutional powers of the President as Commander-in-Chief—adopted 79-5 on June 22.
6. *Javits*—Relating to the Constitutional powers of the Congress—adopted 73-0 on June 26.
7. *Griffin*—To permit U.S. to pay for foreign military advisers and mercenaries in Cambodia—rejected 45-50 on June 30.
8. *Jackson*—Allowing U.S. air activities if not in "direct" support of Cambodia—adopted 69-27 on June 30.

The text of the Cooper-Church amendment to H.R. 15628, as passed by the Senate, was:

"Sec. 47. Limitations on United States Involvement in Cambodia.—In concert with the declared objectives of the President of the United States to avoid the involvement of the United States in Cambodia after July 1, 1970, and to expedite the withdrawal of American forces from Cambodia, it is hereby provided that unless specifically authorized by law hereafter enacted, no funds authorized or appropriated pursuant to this Act or any other law may be expended after July 1, 1970, for the purposes of—

- "(1) retaining United States forces in Cambodia;
- "(2) paying the compensation or allowances of, or otherwise supporting, directly or indirectly, any United States personnel in Cambodia who furnish military instruction to Cambodian forces or engage in any combat activity in support of Cambodian forces;
- "(3) entering into or carrying out any contract or agreement to provide military instruction in Cambodia or to provide persons to engage in any combat activity in support of Cambodian forces; or
- "(4) conducting any combat activity in the air above Cambodia in direct support of Cambodian forces."

Subsequently, in view of the passage of the Cooper-Church amendment to the Supplemental Foreign Assistance Bill, the amendment was deleted from H.R. 15628 by the conference committee.

III. FY 1971 DEFENSE APPROPRIATION BILL—
H.R. 15628

The Defense Appropriation Bill was amended by the Senate Appropriations Committee at the request of Senators Cooper and Church to add Cambodia to the prohibition against involvement of U.S. ground personnel in Laos and Thailand. The bill was approved by the Senate on December 15, without any objection to this provision. The conference committee reported back with a proviso which made the section read as follows (proviso added in conference is underlined):

"Sec. 843. In line with the expressed intention of the President of the United States, none of the funds appropriated by this Act shall be used to finance the introduction of American ground combat troops into Laos, Thailand, or Cambodia: *Provided, That nothing contained in this section shall be construed to prohibit the President from taking action in said areas designed to promote the safe and orderly withdrawal or disengage-*

ment of U.S. Forces from Southeast Asia or to aid in the release of Americans held as prisoners of war.

On December 28 the Senate disagreed to the conference report because of this and another proviso added in conference and the bill was returned to the conference committee. It was reported from conference again on December 29 after deleting both the proviso and "Cambodia" from coverage of the amendment, thus leaving the text as it was adopted in the FY 1970 Defense Appropriation Bill. In the meantime, the Cooper-Church amendment to the Supplemental Foreign Assistance Bill was agreed to on December 22.

IV. SUPPLEMENTAL FOREIGN ASSISTANCE
AUTHORIZATION BILL—H.R. 17123

On December 13 the Committee adopted, without opposition, an amendment to the Supplemental Foreign Assistance Authorization Act, proposed by Senators Cooper, Church, Javits, Case, and Mansfield, which prohibited sending U.S. ground troops or military advisers into Cambodia. A second amendment, sponsored primarily by Senator Javits, specified that any U.S. aid should not be construed as a commitment to defend Cambodia. The text of the two amendments follows:

"Sec. 6. (a) In line with the expressed intention of the President of the United States, none of the funds authorized or appropriated pursuant to this or any other Act may be used to finance the introduction of United States ground combat troops into Cambodia, or to provide United States advisers to or for Cambodian military forces in Cambodia.

"(b) Military and economic assistance provided by the United States to Cambodia and authorized or appropriated pursuant to this or any other Act shall not be construed as a commitment by the United States to Cambodia for its defense."

The amendment was not considered in the Senate and the bill passed on December 16. The amendment was accepted by the House conferees—and both the House and the Senate agreed to the conference report on December 22.

SUMMARY OF THE LEGISLATIVE HISTORY OF THE
FULBRIGHT AMENDMENT RELATING TO PAY-
MENT FOR FOREIGN MILITARY OPERATIONS IN
CAMBODIA OR LAOS

I. DEFENSE AUTHORIZATION BILL—H.R. 17123

The Defense Authorization Bill revised the language carried in defense authorization and appropriation bills in previous years in order to authorize specifically the financing of Vietnamese or other free world forces operations in the "sanctuary" areas of Cambodia. The Senate Armed Services Committee report on the bill stated, however, that there was "... no intent to permit the use of DOD appropriations under this authority to support Vietnamese and other free world forces in actions designed to provide military support and assistance to the Cambodian government." Senator Fulbright introduced an amendment to the bill to carry out that intent and to prohibit U.S. financing of any such activities in Laos as well. (A second Fulbright amendment prohibited paying special allowances to foreign troops greater than the rate of combat pay paid U.S. troops.)

The amendment was adopted by the Senate without opposition on August 21 and was accepted without change by the House conferees. The text of the entire section with the Fulbright amendment italicized follows:

"(a) (1) Not to exceed \$2,800,000 of the funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act, shall be authorized to be made available for the stated purposes to support: (A) Vietnamese and other free world forces in support of Vietnamese

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forces: (4) local forces in Laos and Thailand; and for related costs, during the fiscal year 1971 on such terms and conditions as the Secretary of Defense may determine. None of the funds appropriated to or for the use of the Armed Forces of the United States may be used for the purpose of paying any overseas allowances, per diem allowance, or any other addition to the regular base pay of any person serving with the free world forces in South Vietnam if the amount of such payment would be greater than the amount of special pay authorized to be paid for an equivalent period of service, to members of the Armed Forces of the United States (under section 310 of title 37, United States Code) serving in Vietnam or in any other hostile fire area, except for continuation of payments of such additions to regular base pay provided in agreements executed prior to July 1, 1970. *Nothing in clause (A) of the first sentence of this paragraph shall be construed as authorizing the use of any such funds to support Vietnamese or other free world forces in actions designed to provide military support and assistance to the Government of Cambodia or Laos.*

DEFENSE APPROPRIATION BILL—H.R. 19590

The language in the authorization bill concerning the funding of Vietnamese and other foreign forces, has traditionally been carried in the Defense appropriation bill also. The Fulbright amendment added to the authorization bill was not included in the House version of the Defense Appropriation Bill, H.R. 19590. If the language had not been carried over from the authorization bill there would have been no practical restrictions on use of Defense funds to pay for Vietnamese or Thai operations in Cambodia or Laos. At Senator Fulbright's request, the restrictive language was included in the bill reported by the Senate Appropriations Committee and no objection was raised to the item on the Senate Floor.

The conference added a proviso to the amendment which made it read as follows (proviso added in conference italicized):

"Provided further, That nothing in clause (A) of the first sentence of this subsection shall be construed as authorizing the use of any such funds to support Vietnamese or other free world forces in actions designed to provide military support and assistance to the Government of Cambodia or Laos: Provided further, That nothing contained in this subsection shall be construed to prohibit support of free world or local forces in actions designed to promote the safe and orderly withdrawal or disengagements of U.S. Forces from Southeast Asia or to aid in the release of Americans held as prisoners of war." . . .

The conference report was rejected by the Senate by voice vote, on December 13 because of this item and the addition of a similar proviso to the Cooper-Church amendment. The second conference modified, but did not eliminate, the proviso. After considerable discussion in the Senate about the meaning and intent of the provision, the conference report was agreed to on December 29. The entire text of the section as agreed to, with the revised proviso italicized, follows:

Section 382(a)—Support of free world forces (Sec. 382(a).) Not to exceed \$2,500,000,000 of the appropriations available to the Department of Defense during the current fiscal year shall be available for their stated purposes to support: (1) Vietnamese and other free world forces in support of Vietnamese forces; (2) local forces in Laos and Thailand and for related costs, on such terms and conditions as the Secretary of Defense may determine:

Provided, That none of the funds appropriated by this Act may be used for the purpose of paying any overseas allowance, per diem allowance, or any other addition to the regular base pay of any person serving with

the free world forces in South Vietnam if the amount of such payment would be greater than the amount of special pay authorized to be paid, for an equivalent period of service, to members of the Armed Forces of the United States (under section 310 of title 37, United States Code) serving in Vietnam or in any other hostile fire area, except for continuation of payments of such additions to regular base pay provided in agreements executed prior to July 1, 1970: *Provided further, That nothing in clause (1) of the first sentence of this subsection shall be construed as authorizing the use of any such funds to support Vietnamese or other free world forces in actions designed to provide military support and assistance to the Government of Cambodia or Laos: Provided further, That nothing contained in this section shall be construed to prohibit support of actions required to insure the safe and orderly withdrawal or disengagement of U.S. Forces from Southeast Asia or to aid in the release of Americans held as prisoners of war."*

CHILE BECOMING A COMMUNIST POLICE STATE

Mr. ALLOTT. Mr. President, the evidence continues to mount—steadily and predictably—that Chile is becoming a Communist police state.

The sad but undeniable fact is that Chile's new President, the Communist Salvador Allende, acts like a Communist. This means the U.S. Government must give high priority to high-level policy decisions about how we can isolate this hemisphere's newest Communist dictatorship.

In recent days a number of news stories from Chile indicate Allende's determination to establish communism with more than deliberate speed. For example, on January 10 the Baltimore Sun carried a story by Mr. Robert A. Erlandson concerning the establishment of so-called peoples tribunals in Chile. The tribunals will judge the antisocial behavior of citizens who seem insufficiently enthusiastic about the emerging dictatorship.

On January 15 the New York Times carried a story from Chile by Mr. Juan de Onis, reporting on the arrival in Chile of 70 Brazilian revolutionaries who had been freed in exchange for a kidnapped Swiss diplomat. It is obvious that the revolutionaries knew they would be welcomed in Chile. This must raise anxieties among Chile's neighbors.

Mr. President, Allende's behavior in guiding Chile into the Communist camp is additionally depressing—if redundant—evidence of the extent to which the Monroe Doctrine is a dead letter, dead from exposure to the weak and vacillating policies of the early 1960's.

Obviously there is little this Nation can or should do to influence the elections in another sovereign nation. But that is not the issue. Chile has probably had its last free election. Now the question is how to isolate the disease that has infected that pathetic nation.

Mr. President, so that all Senators can ponder the grim facts about Allende's emerging despotism, I ask unanimous consent for Mr. Erlandson's and Mr. de Onis's illuminating articles to be printed in the Record.

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

[From the Baltimore Sun, Jan. 10, 1971]
CHILE'S "PEOPLES COURTS" MAY BE A DANGER—
"ANTI-SOCIAL BEHAVIOR" WILL BE TARGET OF
LOCAL TRIBUNALS

(By Robert A. Erlandson)

RIO DE JANEIRO.—Chile's Marxist president, Salvador Allende, has taken his first—and perhaps most potentially dangerous—step toward communizing Chile with the announcement that "peoples tribunals" will be set up to judge "anti-social behavior."

Such tribunals, which amount to "revolutionary justice" or drumhead courts-martial, are point 38 of the 40-point "basic program of the popular unity government," which is Chile's new bible, and which calls for, "an end to class justice."

EMASCULATED SYSTEM

However, they will merely establish one class of justice for another, and from the traditionally Democratic Chilean viewpoint will effectively emasculate the judicial system.

Such "peoples tribunals" have an historical record of permitting personally vengeful denunciations, spying on one's neighbors, friends and family—an in the end giving the government a network of informers which allows near-absolute control of the population by fear.

Those with the best political connections become the judges of their less influential countrymen, and the term "anti-social behavior" has extensive, and potentially evil, ramifications.

"Peoples tribunals" are the mark of totalitarianism, and the hand of President Allende's Communist supporters can be seen in their creation.

Although the Communists represent only one faction of his six party popular unity coalition, they are the best organized, disciplined and financed. They also provide the new president with his ideological "brain trust."

The Communists, according to informed sources in Chile, controlled more than 80 per cent of the 8,000 "popular unity committees" formed to work in the Allende campaign.

Immediately after the election, it was reported that new committees were being formed and that the Communists were actively extending their control over the existing ones.

This then was a grass-roots network of control which, in combination with the new "peoples tribunals" should, within a few years, give the Communists an almost unbreakable grip on Chile.

With the court announcement was another of lesser importance, but nonetheless significant, that honorifics such as "excellency" and "your honor," traditional in Spanish-speaking countries will be abolished.

President Allende and his cohorts refer to the people and each other as "campanero", which can be translated as companion—or "comrade."

[From the New York Times, Jan. 15, 1971]
SEVENTY FREED BY BRAZIL FOR ENVOY ARRIVE
JUBILANTLY IN SANTIAGO

(By Juan de Onis)

SANTIAGO, CHILE.—Seventy Brazilian revolutionaries, jubilant over their release from prison in exchange for a kidnapped Swiss diplomat, arrived in Chile today and were granted political asylum.

The leftist Chilean Government of President Salvador Allende Gossens, while giving the Brazilians a warm welcome, took pains to prevent any statements by them that might offend Brazil's military Government. The freedom of the prisoners had been demanded by the kidnappers of the diplomat Giovanni Enrico Bucher. He was abducted in Rio de Janeiro Dec. 7.

U.S. WILL OVERSEE CAMBODIANS' USE OF ARMS SUPPLIES

Delivery Teams Will Tour
Countryside to Assure
Proper Deployment

ADVISORY ROLE BARRED

But Pentagon Says Aides
Might Show Allies How
Equipment Works

By RALPH BLUMENTHAL

Special to The New York Times

PNOMPENH, Cambodia, Jan. 25 — American officials have developed a program for a "military equipment delivery team" that would send United States military representatives through the Cambodian countryside to check on deployment of American military equipment.

Qualified American officials who disclosed the plans said the Americans "would not fall into an advisory role."

[In Washington, a Pentagon spokesman said, however, that those military men working out of the American Embassy in Phnompenh who turn over military aid equipment to the Cambodians might from time to time show them how it works.]

Officials said the program was still being discussed between United States authorities in Washington, Saigon and Phnompenh, but it was understood that plans were well advanced and awaiting final American approval and agreement of the Cambodians, who have not yet been informed of the program.

16-Man Force

It was described as an effort by the United States to make "end checks" of the nearly \$200-million allocated since last spring to the Cambodian military effort to defeat the Vietcong and North Vietnamese invaders.

As authoritatively described here, the program would involve at the start about 15 American military men under the jurisdiction of the United States Ambassador, who would check on how effectively American military aid was being used by the Cambodians.

The Americans would have no authority to advise the

Cambodians on how to use that equipment more effectively, the sources said. They asserted the program would not conflict with the Congressional prohibition against United States ground combat forces or advisers in Cambodia that was adopted last month in a \$1-billion supplemental military aid bill.

In fact, the sources asserted Congress would probably welcome the program as a check on the deployment of United States military aid in Cambodia. At present, they said, the United States has no way of ascertaining what happens to the American military equipment granted the Cambodians.

"We only know what the Cambodians tell us," one high official said. The program would be centered in Saigon, seat of the United States military command for Vietnam as well as Cambodia and Laos. The program would use the accounting facilities of the command in Saigon while operating

under the Ambassador. Emory C. Swank, in Phnompenh through the office of his military-political counselor, Jonathan F. Ladd.

Rapid Increase in Program

The program was made necessary, officials said, by the rapid increase of the United States military assistance program for Cambodia.

When started last spring, shortly after the overthrow of Prince Norodom Sihanouk by Premier Lon Nol, the United States military aid program totaled less than \$9-million. It then by \$50-million, and finally by \$100-million.

Officials said there now was no accurate way of determining how the military equipment bought with that money was being used by the Cambodians.

In anticipation of the program's start, the embassy's military political office under Mr. Ladd, former commander of special forces in Vietnam, has recently been increased from three to nine with prospects of adding seven more.

Those Americans, described as military men by qualified sources, would travel around the country wherever United States equipment was being sent to make sure the equipment reached the proper hands.

Drawing a Fine Line

They would not be authorized to advise the Cambodians how to use the equipment, the sources said. However, they conceded there was a fine line between overseeing the use of the equipment in the field and suggesting how it might be better employed.

The 300-man program, the sources said, was "nothing" compared with the United States military advisory assistance program installed here since 1963. The sources said the date for the start of the program would probably be decided upon in the next few weeks.

Cambodian officials have for some time asked the American Embassy for an advisory program but they said they were always rebuffed by the Americans.

Meanwhile, it was learned

today that the United States had already flown in two helicopters to replace two of the four destroyed in the Friday raid on the Phnompenh airport. Another two helicopters will be flown in soon, authoritative sources reported.

In addition, the sources said, the United States will replace most of the 15 aircraft destroyed in the attack. However, the replacements will come out of the \$185-million military aid budget for Cambodia this fiscal year and thus the Cambodians will have less funds for other military purchases.

Pentagon Explains Stand

Special to The New York Times

WASHINGTON, Jan. 25 — A Pentagon spokesman, Jerry W. Friedheim, said today that Congressional limitations, as he interpreted them, did not prohibit the sending of American military instructors into Cambodia so long as they were not assigned as advisers to Cambodian military units.

Responding to questions at his daily news briefing, Mr. Friedheim said the United States had no intention of establishing an American military training program in Cambodia. But he said that those military men working out of the American Embassy in Phnompenh turning over military aid equipment to the Cambodians might from time to time show them "where the on-off switch is."

Secretary of Defense Melvin R. Laird at his news conference last Wednesday made the first public mention of the fact that American officers were being sent to Phnompenh to oversee the receipt and delivery of military aid equipment to Cambodian forces. He initially said 14 men would be sent, but Pentagon sources later said 16 would go.

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And the article reports that the Defense Department is going ahead with plans to expand MEDT—the Military Equipment Delivery Team—forces to 500 by the end of next year.

According to Newsweek—

There are signs that the military men already in Cambodia are getting more directly involved in the fighting there. American helicopters have reportedly begun transporting Cambodian troops into battle areas and supplying them with ammunition. And at Pochentong Airport in Phnom Penh, U.S. forces recently opened a radio center (officially called a "navigation aid") to coordinate air support for Cambodian troops.

But planned escalation is not confined to personnel increases alone. Although this year's aid program for Cambodia calls for \$211 million in military aid, \$110 million in economic assistance and \$20 million in agricultural commodities for a total of \$341 million—a net increase of \$59 million over last year—the Joint Chiefs of Staff apparently want another \$52 million for military aid.

According to a story in the New York Times October 13, the Joint Chiefs of Staff have designed a costly program of "pacification" and other "unconventional warfare" for Cambodia, as well as ways to get more money to implement it than Congress is willing to authorize.

According to the Times, the Joint Chiefs have devised a battle plan to outflank the intent of Congress. According to this report the Chiefs offered four different ways of generating—on the sly—the additional \$52 million they want:

The first way would be simply to transfer \$52 million from the economic aid program to military spending, which can be done later in the fiscal year simply by the Administration's notifying Congress. The second way would be to use the economic aid fund for the purchase of all "common use" items such as trucks and jeeps, which have military as well as civilian value, thus freeing other military funds.

A third way would be to increase procurement for the United States Army by \$52 million and give the materiel to the Cambodians, for "repayment" later. The fourth way would be to make some exceptions in Defense Department supply regulations, declaring additional equipment to be "excess" and delivering it to the Cambodians.

Mr. President, if these reports are true, and past experience suggests that they probably are, it appears that the United States role in Cambodia is escalating significantly as more American dollars and more American personnel are becoming more involved in the war there.

The pattern is all too familiar to repeat: A tentative commitment becomes firm; a temporary presence becomes permanent; a limited role expands, and the executive branch of Government circumvents or ignores the advice and intent of Congress, if not the actual provisions of laws.

And the unanticipated results, as we have found in Vietnam, can be disastrous.

Mr. President, the Senate will soon be making important decisions regarding the amount, scope, and type of aid to Cambodia when the Foreign Assistance Act comes to the floor.

The Foreign Relations Committee has taken an important step toward limiting

the scope of our growing involvement there by voting to impose a \$250 million ceiling on military and economic aid and to limit the number of U.S. civilian and military personnel to 200.

Since I came to the Senate in 1969, Congress has been attempting to restore the constitutional balance in the war-making power. Many Senators have recognized that executive branch ability to make war unilaterally is a very real danger to democracy. As Senator JOHN STENNIS stated the other day before the Foreign Relations Committee while testifying on bills dealing with congressional war powers:

The President is faced with difficult day-to-day decisions in the Executive Branch in the field of foreign policy and the temptation is great to rely upon the threat of military force against a particularly troublesome or recalcitrant opponent.

But he went on to point out:

But the Constitution has placed the responsibility for deciding whether or not that force is to be used in the hands of the Legislative Branch. Thus it is not only our right but our Constitutional duty to insist that the President obtain the sanction of the Congress, the peoples' representatives, before he actually involves the nation in war.

Mr. President, it is clear that Executive decisions have shaped the course of the Indochina war and that an indifferent Congress provided little or no restraint on Executive actions. I recognize that some politicians will continue to prefer inaction or deference to the Executive in the exercise of a policy that could result in war, for scapegoats are often popular in politics and the assumption of responsibility often is not.

I feverently hope that such failure to accept responsibility is a thing of the past.

If the reports on Cambodia are true, as I believe they are, it should be clear that current and planned executive branch actions could take us into another ill-advised military adventure.

Congress has the ability to set wise limits on such dangerous Executive policy. The Foreign Relations Committee has given us a vehicle, in the Symington-Case amendment, for setting a proper limit in Cambodia.

Mr. President, I am pleased at this time to yield the remainder of my time to the Senator from New Jersey (Mr. CASE).

The PRESIDENT pro tempore. The Senator from New Jersey is recognized for 7 minutes.

THE NEED FOR ABSOLUTE CEILINGS ON U.S. SPENDING AND PERSONNEL IN CAMBODIA

Mr. CASE. Mr. President, I thank the Senator for yielding to me. I commend him for the remarks he has made and for the activities he has engaged in on this matter on several occasions in the past. He has been most helpful to the Senate and to the Nation in regard to the problems we are facing here. I am happy that his remarks preceded mine on this subject Mr. President, the time has come for the United States as a Nation to decide what to do about Cambodia.

Recent press reports indicate what the Joint Chiefs of Staff feel must be done if we are to bring about a military solution in Cambodia. The Joint Chiefs' plan calls for a doubling of military expenditures and almost a five-fold increase in the size of the Cambodian army.

Those are very disturbing proposals.

In no event, however, should the fundamental question of whether the United States becomes even more deeply involved in yet another Southeast Asian country be decided within the executive branch under a veil of secrecy.

I thought we had painfully learned this lesson from our Vietnam experience, but the reports on the Joint Chiefs of Staff plans for Cambodia would seem to indicate the strong possibility that we may be about to repeat past mistakes.

My own view is that the overwhelming majority of Congress and the American people do not wish to repeat the Vietnam example.

We on the Foreign Relations Committee have on several occasions asked the Secretary of Defense for the 5 year plans for military assistance programs. We have always been refused access to these documents.

It is indeed unfortunate that we have to rely on leaks of secret papers to receive the plans for Cambodia. But considering the vast scope of the Joint Chiefs' proposals for that country, I can understand why the Pentagon has been reluctant to expose its thinking. The aid levels and force levels described in the New York Times and the Washington Post are so large that it is difficult to believe they could stand up to either congressional or public scrutiny.

If the proposals of the Joint Chiefs were put into effect, Cambodia would be turned into an armed camp absolutely dependent on us for its existence. And this would not just be for a year or two, but for the indefinite future. The Joint Chiefs project an expansion of the current 170,000 man Cambodian armed forces, 863,000 by 1977. A country of less than 7 million people would then be supporting a military establishment which would be the proportional equivalent of more than 25 million Americans under arms.

It is of course the right of the Cambodians to decide how large their army will be, but it becomes very much our concern when the American taxpayer is asked to pay the bill. And there is no question that the United States would be paying virtually all the costs. The war has left the Cambodians themselves nearly without resources. As long as the fighting continues, they will be deprived of their three principal sources of foreign exchange: rice, rubber, and tourism. Moreover, as we found out in Vietnam, our other allies will do little if anything to share the costs.

The Joint Chiefs further propose that we get involved at all levels of Cambodian society with pacification programs, psychological warfare programs, and even unconventional warfare programs directed by the CIA. Again, as we learned in Vietnam, these kinds of American supported programs lead to deeper and deeper entanglement.

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because they do not have access to all the facts that the President has.

11. Members are angry about the President's refusal to give Congress all the facts, but cannot do anything because it is unconstitutional to subpoena a Presidential fact man and ask him what's going on in the Government.

12. Nothing can be done in February because so many members have out-of-town speaking engagements at Lincoln Day dinners or Jefferson-Jackson Day dinners.

13. Nothing can be done about foreign policy because it is unconstitutional for members to interfere with the President's conduct of foreign policy.

14. Nothing can be done about the President's usurpation of Congress's constitutional right to declare war because it is silly in this modern day and age, for a rinkydink outfit like Congress to accuse the President of unconstitutional behavior.

15. The seniority system prevents members from doing anything.

16. Nothing can be done because of the multitude of the leadership.

17. It is summer and members' wives and children are browbeating them to go away on vacations; in this strained atmosphere members, already tired of long months of tedious idleness, are in no mood to do anything.

18. The polls suggest that nobody has thought about Congress for months, but may, if members do anything.

19. After laboring months at not cutting the Pentagon's weapons budget, Congress is too spent to do anything.

20. Although members suspect that the Air Force's new nuclear-powered, supersonic, short-takeoff-and-landing survey with a fringe on the top will be a multibillion-dollar bust, nothing can be done because the Pentagon is only asking for token funds for a feasibility study.

21. Although members realize that the Army's antineutrino underwater tank leaks water through the TV aerial holes and sinks with heavy loss of life every time it is tested, nothing can be done about spending \$4 billion more to perfect it because, otherwise, the \$4 billion already spent would have to be written off as wasted.

22. Nothing can be done because of the filibuster.

23. Since the President will do anything that needs to be done, there is no point in Congress doing anything, particularly since the Supreme Court will have to do it if the President refuses.

24. Not doing anything is safe.

25. There is no modern precedent for doing anything.

Simple or false and several thousand other reasons for its inactivity, Congress is not entirely impotent. Sometime late next year the vast majority of its members will persuade us that they deserve to be re-elected.

PROGRESS ON PRESIDENT NIXON'S ECONOMIC GAME PLAN

Mr. SCOTT. Mr. President, on October 1, President Nixon outlined phase two of his economic game plan. It is very popular with the American people. Just as the American people quickly supported the President after his initial announcement of the wage-price freeze in August, grassroots support will continue into the post-freeze period. A telephone survey conducted by the Philadelphia Inquirer showed those approving of the President's economic policy leading by a 2 to 1 margin.

With unanimous consent to have the survey printed in the Record, which shows that 69 percent of the American

people approve of the President's post-freeze economic plan.

There being no objection, the survey was ordered to be printed in the Record as follows:

DO YOU APPROVE OF PRESIDENT NIXON'S POST-FREEZE ECONOMIC PLAN?

HOW YOU VOTED

Yes: 69 percent

No: 31 percent

SAMPLE "YES" COMMENTS

"Nixon is doing his best to help the country." "The unions needed to be put in their place." "Let's give the poor guy a chance." "I believe Nixon has saved us from another depression." "I hope he freezes taxes, too." "Although it might be a little late." "It's the only way to keep prices and unions from going wild." "This should be adopted on a permanent basis." "I'm for anything that will benefit our country." "This should have happened two years ago." "It's about time the government took over from the unions." "Now labor can't lead us around by the nose."

BOLD ACTIONS BY THE PRESIDENT LAST WEEK

Mr. SCOTT. Mr. President, last week was a very good week for the United States. The President achieved three important objectives.

First, his announcement of the forthcoming journey to Moscow for the purpose of discussing ways which can lead to peace and a relaxation of tensions.

Second, the President skillfully managed to obtain the cooperation of labor and industry in his pay and price board setup. The President will send up a bill covering phase II of his economic plan today, which will provide for an important extension of powers under the Emergency Stabilization Act and also standby powers on interest and dividends, with penalties and provisions for judicial review.

Third, the President secured the release of the import surcharge to several Asian countries, notably Japan in return for an important textile agreement.

Mr. President, this is real action. No other President has been as innovative and as bold in any time or has introduced and successfully followed up such immediately valuable objectives as this President.

All of us have seen and heard critics of the President, completely devoid of issue—who have sought vainly to criticize various persons as nominees for the Supreme Court in advance of their submission by the President.

I think it would be an act of grace and an act of good judgment if the overly zealous and overly ambitious critics would withhold judgment until they find out what the President is going to nominate. I think their rush to exercise their judgment over that of the President is unseemly. It does not reflect on the President as much as it does on them.

The President pro tempore. The time of the Senator has expired.

ORDER OF BUSINESS

The President pro tempore. Under the previous order, the Senator from

Missouri is now recognized for not to exceed 15 minutes.

THE AMERICAN PROFILE IN CAMBODIA

Mr. EAGLETON. Mr. President, 6 months ago, on April 10 and 11, I went to Phnom Penh, Cambodia, to assess personally the situation and the extent of direct American involvement in the war there.

I was pleased and impressed as Ambassador Emory Swank pointed with pride to the "low American profile" there and expressed his desire to keep it that way. Swank asserted:

"If real trouble comes, our Embassy staff can pack up and get out on one plane."

Three days later I visited with the man who was responsible for our low profile in Cambodia, Jonathan Fred Ladd, who was hospitalized in Saigon with a bad back. Ladd had been a Special Forces commander in South Vietnam. He knew the value of relying on the Cambodians' will to fight rather than on ever-increasing dependence on U.S. advisers, air support and the sophisticated weaponry of war with which we have smothered the South Vietnamese. He believed that if the Cambodians had the will to fight they would survive, but that if they lacked the will, the United States could not save them. Sophisticated U.S. weapons, methods, and advisers would create more problems than they solved, Ladd believed.

Again, I was impressed. From what I could gather, Cambodia appeared to be the first real test for President Nixon's "Guam" doctrine of limited assistance and self-help. When I returned from Southeast Asia I wrote a report which, then, included the following observations:

"In a very real sense, this is one war," said Ambassador Emory Swank as he briefed me on my arrival at Phnom Penh, the capital city. . . .

It is "one war" now, covering the entirety of French Indochina. And yet, it is being fought differently in Cambodia. . . .

In Cambodia, the United States seems determined not to stumble into another massive U.S. commitment like Vietnam. Quite properly, the emphasis is on supplying Cambodians to fight for themselves, not on us fighting for them. . . .

What Cambodia needs is time to train and build its army without the mistakes of Vietnamization. So far, that time has not been purchased by a massive American presence, and I was impressed by Ambassador Swank's determination that it will not be. . . .

Last year, I voted against additional U.S. military and economic aid to Cambodia because I feared it would be the opening wedge of a Vietnam-type commitment. This year I would support U.S. economic assistance, provided that the present hands-off direction of our policy in that country is continued. . . .

That American policy in Cambodia appears to be changing. The October 18 edition of Newsweek contains a distressing article which indicates that our "low profile" policy in Cambodia is being escalated. Now Ambassador Swank refers to a "medium profile" as the American presence in Phnom Penh has jumped from fewer than 60 officials to more than 150.

Last year Congress expressed its clear will to avoid such an entanglement when it acquiesced in what was described by the administration as a modest level of assistance for Cambodia. Aid was given to Cambodia only with the accompanying limitations that no American military forces or advisers would serve in Cambodia—Cooper-Church amendment—that the aid was not to be construed as a commitment to the Cambodian Government—Javits amendment—and that there could be no transfers of additional assistance to Cambodia without prior notice to Congress—Case-Symington amendment.

Congress insisted on these limitations because it wanted to assure that Cambodia would not become another Vietnam. The President concurred and signed into law all the congressional limitations.

Yet the thrust of the Joint Chiefs' memo goes considerably beyond the clear intent of Congress to limit our involvement. And the Joint Chiefs apparently plan to do this without any additional legislative authority or public debate.

Perhaps the Congress and the American people are now willing to make the kind of commitment to Cambodia that the Joint Chiefs propose. My own view is that they are not willing. If anything is clear, it is that the United States wants to disengage itself from Southeast Asia. In any case, these are questions for the Congress and the people to decide in concert with the executive branch.

The press reports listed four methods proposed by the Joint Chiefs that could be used to skirt congressional authorizations on spending in Cambodia. I categorically reject this approach of surreptitiously siphoning off money from other parts of the budget to provide funds for Cambodia above and beyond what Congress approves.

Such methods are totally inconsistent with our constitutional system. If loopholes exist in the law that allow funds to be shifted around so easily, then those loopholes should be closed. The so-called discretionary powers contained within the foreign aid laws were only included in order to give successive administrations sufficient flexibility to react quickly to unforeseen events abroad such as an earthquake in Peru or famine in Pakistan. The intent of Congress was not to provide the kind of flexibility which would allow the Executive to request a certain amount of money for a program with the expectation at the time that more money would immediately be needed and that it could be secretly diverted from other parts of the budget.

I have had drafted legislation which would attempt to close each one of the four loopholes listed by the Joint Chiefs. But on reflection, I have decided that to close specific loopholes is not the answer, although I might later introduce such legislation if other efforts fail. The Executive, if it is so determined, can always find ways to get around particular prohibitions.

A good example is the case of Thai troops in Laos. Last year the Congress passed an amendment banning the use of foreign troops in Laos paid for by U.S.

funds. The President signed this provision into law. Then this year, we learned that the United States was indeed paying for Thai troops in Laos, but somehow these Thai troops were not considered to come under the ban because they were so-called volunteers and thus not foreign troops.

In July, I introduced an amendment which would tighten the language on the use of foreign troops in Laos to include "volunteers." Similarly, I have pending five additional amendments which would close other loopholes or loosely worded provisions. But the law seems like a leaky dike with new holes appearing just as quickly as we close the old ones.

It is for this reason that I have introduced with the senior Senator from Missouri (Mr. SYMINGTON) an amendment which would place an absolute ceiling on all American expenditures in Cambodia. Moreover, Senator SYMINGTON is joining me in my earlier amendment which would freeze the number of Americans in Cambodia at 200 U.S. Government employees and fix third-country employees at 50.

Our amendment states that total American spending in or for Cambodia cannot exceed \$250 million. This figure, unfortunately, is considerably below the \$330 million the administration is requesting and even further below the roughly \$380 million the Joint Chiefs would like to spend. However, it would maintain our programs in Cambodia at about current levels.

I am extremely pleased that the Case-Symington amendments have been tentatively approved by the Foreign Relations Committee.

It is essential in authorizing foreign aid for 1972 that Congress shows that our commitment to Cambodia is not open ended. The Senate recently approved a similar Symington proposal for Laos which would place a \$350 million limit on expenditures in that country. We should do the same for Cambodia and with great urgency, for in Cambodia we at least have not yet passed the point of no return with our involvement.

It is now clearer than ever that the administration should come to Congress and the American people with our future plans and intentions for Cambodia. We should not have to be dependent on leaks of secret documents for our information, and we certainly cannot rationally make decisions without sufficient information.

In the meantime, the United States should take no action which would in any way increase our commitment to Cambodia. We should go no further without a clear understanding of the stakes involved in creating yet another client state in Southeast Asia.

Mr. President, I ask unanimous consent to have printed in the RECORD several recent newspaper articles on Cambodia, including the October 13 article from the New York Times, an excerpt of which was printed in the RECORD at the request of the junior Senator from Missouri.

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

[From the New York Times, Oct. 13, 1971]

JOINT CHIEFS SAID TO RAISE COSTLY CAMBODIAN WAR PLAN

WASHINGTON.—The Joint Chiefs of Staff are said to have designed a costly program of "pacification" and other unconventional warfare for Cambodia to protect South Vietnam's western flank as Americans continue their withdrawal from Indochina.

They have also proposed a series of budget devices to augment the fund that Congress will be asked to provide for expanding the Cambodian Army over the next five years.

The Chiefs submitted their program last month to Secretary of Defense Melvin R. Laird, according to Congressional sources. Mr. Laird, who has been bargaining with the Chiefs since June about the cost of the effort, is described as still reluctant about the latest version, which doubles spending to about \$500-million a year by 1977.

The final decision, however, will rest with a senior policy review group run by Henry A. Kissinger, the President's adviser on national security affairs.

How to protect Cambodia from the North Vietnamese forces and deter them from the use of Cambodian territory for attacks against South Vietnam's population centers has become a major problem for Pentagon planners. As the American forces in Vietnam are reduced to 50,000 men, at the most, and come to rely on air power for operations in the rest of Indochina, the planners are looking to indigenous forces to carry the burden in ground combat.

With a first-year grant of \$185-million in military aid and \$70-million in economic aid, the Cambodian Army has already been expanded from 30,000 men in April, 1970—when American troops needed the North Vietnamese "sanctuaries" in Cambodia—to a current strength of about 180,000. The Cambodians are said to have fought well, but most of them are no match for the 60,000 North Vietnamese in their country, mostly east of the Mekong River.

SAIGON TROOPS UNPOPULAR

South Vietnamese troops have periodically moved into Cambodia to help out, but they are no more popular among Cambodians than the Communists forces from the north and will in any case be needed for the defense of their own territory.

When the Joint Chiefs of Staff first considered the problem last June, they proposed a 1971-72 military aid program of \$350-million. Congressional informants report. Secretary Laird said that he could not afford that much and that Congress would not support such an increase.

The chiefs said that with a \$200-million in military aid they could not increase the size of the Cambodian Army, but for \$275-million they could expand it to 250,000 men. Mr. Laird's budget pruners said that such an increase in strength could probably be achieved with \$252-million.

But as finally submitted to Congress, the Cambodian aid program called for \$200-million in military aid, \$110-million in economic assistance and \$15-million worth of agricultural commodities, for a total of \$325-million. This was a net increase of \$61-million over last year's allocations.

ALTERNATE PLANS OFFERED

Nonetheless, in explaining their elaborate military plans to Mr. Laird in a memorandum dated Aug. 30, the Joint Chiefs indicated that they could get around the limit on military spending and proceed with the build-up.

According to informants, the Chiefs offered four different ways of generating an additional \$52-million so as to add 40,000 troops to the Cambodian Army and also raise the "paramilitary" force of armed civilians to 143,000.

The first way would be simply to transfer \$52 million from the economic aid program to military spending, which can be done later in the fiscal year simply by the Administration notifying Congress. The second way would be to use the economic aid fund for the purchase of all "common use" items such as trucks and jeeps, which have military as well as civilian value, thus freeing other military funds.

A third way would be to increase procurement for the United States Army by \$52 million and give the materiel to the Cambodians for "repayment" later. The fourth way would be to make some exceptions in Defense Department supply regulations, declaring additional equipment to be "excess" and delivering it to the Cambodians.

The Pentagon planners said they were looking ahead to further increases in the Cambodian Army, so that it would number 256,000 men by mid-1973 and more than 300,000 men by 1977. The paramilitary units, they believe, must be augmented to nearly 200,000 by mid-1973 and more than 300,000 in 1977. This would mean arming about 10 percent of Cambodia's population of 7 million, or nearly half the adult male population.

The Joint Chiefs would provide for a mechanized brigade, and artillery brigade and coastal patrol units, as well as ground troops and extensive logistic support. They would look to the Agency for International Development to help finance the paramilitary defense forces, including the police. The Central Intelligence Agency would be asked to mount additional programs and to provide airlift support.

The program of activity drawn up by the Joint Chiefs is divided into four headings, labeled "Pacification," "Unconventional Warfare," "Psychological Operations" and "Civil Affairs." The country would be divided into eight pacification areas and this program would be supervised by a new United States Deputy Ambassador—as in South Vietnam—in a new embassy structure.

The Pentagon would also establish a three-national military committee with the Cambodians and South Vietnamese, in which the Defense Department would be represented through Gen. Frederick C. Weyand, the deputy commander of American forces in Vietnam.

[From the Washington Post, Oct. 14, 1971]

CAMBODIA AID LIMIT PUSHED

(By Spencer Rich)

The Senate Foreign Relations Committee voted 9 to 4 yesterday to clamp an absolute limit of \$250 million on all forms of U.S. military and economic assistance to Cambodia in fiscal 1972.

The proviso was added to the foreign aid bill on the motion of Sens. Clifford P. Case (R-N.J.) and Stuart Symington (D-Mo.).

Case said it is intended to prevent an "indefinite escalation" of U.S. outlays for Cambodia. The fiscal 1971 aid level is also about \$250 million, but the administration had sought \$341 million for fiscal 1972.

A second part of the amendment puts a ceiling of 200 on the number of U.S. personnel in Cambodia to prevent a buildup of the U.S. military equipment aid group. U.S. personnel there now number 150.

Still a third part of the amendment limits the number of third-country nationals who may be paid from U.S. aid funds to 50. This is designed to prevent use of U.S. funds to train radio operators, mechanics and supply clerks from such nations as Thailand, the Philippines and Korea. No such personnel are there now, but sources said there were plans to hire 100 or more.

Before the vote was taken on the Case-Symington amendment, sponsors accepted

additional wording by Sen. Jacob K. Javits (R-N.Y.) stating that the provision of military and economic assistance to Cambodia within the limits imposed, does not constitute a U.S. commitment to the defense of that country.

The Case-Symington measure originally imposed a \$200 million aid limit and a 150-man ceiling on U.S. personnel. But Case said the figures were raised in committee to indicate that "this wasn't intended to be a sharp reduction of existing programs, but a limit on indefinite escalation" to give Congress time to study how far the United States should go in supporting the war in Cambodia.

Case said his amendment was particularly timely in view of reports that the Joint Chiefs of Staff had advised Defense Secretary Melvin R. Laird that "to bring about a military situation in Cambodia" U.S. military aid would have to rise to more than \$500 million by 1977.

According to congressional sources, the Joint Chiefs advised Laird that the number of regular Cambodian troops—now at 180,000 a year ago—would have to jump to 300,000 by 1977 and paramilitary forces to 500,000 by then.

The reports said that the Joint Chiefs considered the \$211 million military assistance portion of the administration's total request for 1972 of \$351 million too small, and had devised plans for shifting \$52 million from other sources to the military aid program.

This was intended to boost the regular Cambodian army to 220,000 men by the end of the year and the "paramilitary" forces to 143,000. The reports said the JCS had devised various methods of transferring funds from one account to another or of using "excess" military equipment.

Case said his amendment closed all loopholes against any such shifts. Laird, at a press conference, neither confirmed nor denied the existence of the reported Joint Chiefs recommendations, but did say no aid for Cambodia beyond the \$341 million already requested would be sought this year.

Like an earlier Symington amendment to the military procurement bill limiting Laos aid to \$350 million, yesterday's Cambodia proviso covers only military and economic assistance and does not restrict spending for U.S. admissions flown over Cambodia.

Before the vote, Senate Majority Leader Mike Mansfield (D-Mont.) said in a floor speech that before the Sihanouk government was overthrown, Cambodia was "an oasis of order in war-torn Indochina." But now, because the United States had helped draw Cambodia into the war, "Cambodia is being reduced to chaos and devastation."

[From the New York Times, Oct. 14, 1971]

SENATE UNIT VOTES \$250-MILLION LIMIT ON CAMBODIAN AID

(By John W. Finney)

WASHINGTON.—The Senate Foreign Relations Committee voted today to impose a \$250-million ceiling on military and economic aid to the Cambodian Government in the current fiscal year.

The Administration has requested authority to spend \$341-million in Cambodia—about \$200-million in military aid and the remainder in economic assistance.

An amendment incorporated into the Foreign Aid Authorization Bill by the committee would also limit to 200 the number of American civilian and military personnel assigned to Cambodia.

ADMINISTRATION IS OPPOSED

The committee amendment, co-sponsored by Senator Stuart Symington, Democrat of Missouri, and Senator Clifford P. Case, Republican of New Jersey, was adopted by a 10-3 vote over the opposition of the Adminis-

tration, which warned that the limitations would undermine the Cambodian Government and endanger American troops as they are withdrawn from Vietnam.

In a letter to the committee, Under Secretary of State John N. Irwin said that the Administration's request was "the minimum which is essential to help Cambodians consolidate their independence."

The committee's action was prompted in part by the disclosure that the Joint Chiefs of Staff had recommended a longrange program that by 1977 would bring military aid to Cambodia to \$500-million, roughly double that now being spent.

The Joint Chiefs are reported to believe that increased military assistance to Cambodia is necessary to protect South Vietnam's western flank as American troops are withdrawn from Indochina. But to many members of the Senate committee, the proposal represents a growing American commitment to Cambodia similar to that set a decade ago in South Vietnam.

"ARMED CAMP" FORESEEN

Senator Symington, in an interview, expressed fear that the real intention of the Joint Chiefs of Staff was to "shore up" the borders of Thailand by establishing positions of strength in Cambodia and Laos "where we could remain indefinitely."

Senator Case, in a statement, said that the recommendations of the Joint Chiefs "would entirely destroy Cambodia's own economy and turn that country into an armed camp, altogether dependent on United States dollars, arms and food for its continued existence."

He emphasized that the limitation on spending was a "holding action" designed to force a full-scale review of future American policy in Cambodia and said:

"We should go no further in increasing our commitment to Cambodia, at least not without a firm decision by Congress and the American people that an expanded war in Cambodia is the course our country should follow."

In a statement on the Senate floor, Senator Mike Mansfield, the majority leader, said:

"The Cambodian experience is an admonition to curb the easy outflow of the financial resources of the people of this nation which, for years, has been legislated in the name of national defense and foreign aid."

"In the case of Cambodia, the hundreds of millions of dollars already spent in a year and a half have done hardly anything for the defense of this nation except, perhaps, to weaken it by wastage. Nor have these expenditures helped the Cambodian people, who have now been reduced to the common denominator of the irrelevant devastation which has been suffered in Laos and Vietnam."

Senator Mansfield protested that "the trend of present Cambodian policy, insofar as I can see, runs strongly counter not only to the expressed inclinations of the Congress but also to the Nixon doctrine which was supposed to provide the guidelines of that policy."

In the year and a half since the Government of Prince Sihanouk was overthrown and the United States conducted military operations against Communist sanctuaries in Cambodia, he said, Cambodia has become "the enemy sanctuary," the nation is "being reduced to chaos and devastation," and American support has become "the sole significant prop which keeps the political-military structure in Phnompenh from falling apart."

"I sometimes wonder," he said, "how we let ourselves get involved in these travesties of foreign policy which, rather than serve the interests of this nation, give every appearance of being at complete odds with those interests."

[From the Baltimore Sun, Oct. 14, 1971]
SENATE PANEL APPROVES CEILING OF \$250
MILLION ON CAMBODIA AID
(By Gene Olshi)

WASHINGTON.—The Senate Foreign Relations Committee approved by a 10-to-3 vote yesterday a \$250 million ceiling on expenditures in Cambodia—\$80 million under what the administration is requesting for fiscal 1972.

The amendment to the foreign aid authorization bill also contains a declaration of policy stating that the authorization of funds for military and economic aid to Cambodia does not constitute a U.S. commitment to defend the country.

Senator Clifford P. Case (R., N.J.), who offered the amendment together with Senator Stuart Symington (D., Mo.), also issued a statement expressing concern over a report that the Joint Chiefs of Staff have proposed a plan for military aid to Cambodia that would reach \$500 million a year by 1977.

"These recommendations," Mr. Case said, "would entirely destroy Cambodia's own economy and turn that country into an armed camp, altogether dependent on U.S. dollars, arms and food for its continued existence."

The Case-Symington amendment had originally called for a \$200 million ceiling on expenditures in Cambodia, but the spending limit was increased to \$250 million in committee.

The authorization for fiscal 1971, which ended June 30, provided \$185 million in military aid and \$70 million in economic assistance for a total of \$255 million.

For fiscal 1972, the administration is requesting \$200 million in military aid and \$130 million in economic assistance.

Senator Case indicated to reporters that the \$250 million ceiling approved by the committee could be further compromised when the foreign aid bill reaches the floor. The administration is opposed to a ceiling on spending, because such a limit would eliminate its flexibility in shifting other defense funds into Cambodia.

Senator Case said the purpose of the amendment was not to force sharp cuts in U.S. expenditures in Cambodia, but rather to hold the line on spending until a full congressional inquiry into U.S. policy for Cambodia can be made.

Mr. Case in his statement said it would be "tragically wrong" to seek a military solution in Cambodia, and that is what Joint Chiefs are apparently contemplating.

[From the Washington Post, Oct. 17, 1971]
REVIEW IS SLATED ON OPTIONS FOR NEW
BUILDUP IN CAMBODIA
(By Spencer Rich)

A high-level Nixon administration meeting with grave consequences for the fate of Cambodia is expected to take place this week, according to congressional sources.

On Monday, a "senior review" group of persons at the level of CIA Director Richard Helms, Deputy Secretary of Defense David Packard and Under Secretary of State U. Alexis Johnson is scheduled to consider "options" for U.S. policy in Cambodia.

One alternative expected to be considered is an Aug. 30 "five-year plan" by the Joint Chiefs of Staff on how to win in Cambodia—"winning" being defined as building up the strength of Cambodian forces to the point where they could drive all North Vietnamese troops out of the country.

The Pentagon has never acknowledged existence of the plan, nor plans for the meeting. A spokesman said yesterday, "We have nothing to add" to what Defense Secretary Melvin R. Laird said last Wednesday. Laird, questioned about the alleged plan following press reports on it, had neither confirmed nor denied its existence.

Congressional sources insisted, however, that such a plan does exist, that it was drafted as a result of a June 11 request for "options" by Presidential Assistant Henry A. Kissinger, and that it calls for a buildup of Cambodia's regular and "paramilitary" forces with U.S. supplies to 863,000 men by 1977. A congressional staff member estimated that the cost to the U.S. could reach anywhere from \$500 million to \$1 billion a year by 1977. He said Laird has turned down several earlier versions of the plan as too expensive.

Emphasizing that neither Laird nor the State Department has yet "bought" the plan—and may even be somewhat dubious about it so far—the staff member gave this description of the proposal:

The plan would be a classic application of the Nixon doctrine, with the U.S. furnishing military supplies and economic aid to support military operations by indigenous Cambodian forces. It envisions a force structure with "sophisticated" American-supplied trucks, tanks, armored cars, and artillery brigade and coastal patrol boats.

A key feature would be anti-guerilla warfare, with the establishment of a commando-type Green Beret force manned by specially trained Cambodians. The JCS document is said to state, "Cambodia represents perhaps the classic case for the employment of unconventional warfare by the allies," and, further, that there should be "the highest possible priorities given to neutralizing the Khmer (Cambodian) Communist infrastructure," that is—infiltrating and destroying the Communist Party inner structure.

The plan calls for a massive escalation of U.S. aid to Cambodia over the next five years. At present, the U.S. aid level—already vastly increased from two years ago—is \$185 million for military equipment, \$70 million for supporting assistance (special aid to the economy to keep it going despite defense burdens and \$9 million from sales under the overseas food program. This is a total of \$264 million. The plan is said to call for a boost to \$377 million in fiscal 1972 and \$390 million in fiscal 1973. Some \$52 million of the 1972 figure would not be derived from congressional appropriations but from transfers from other accounts or "excessing" of U.S. military supplies. (Military supplies which the Pentagon declares "excess" may be sold or given away to other nations at well below actual cost.) No cost estimates for years beyond that are contained in the plan.

The plan calls for increasing the Cambodian regular army from 170,000 in fiscal 1971 to 220,000 in 1972, 256,000 in 1973 and 306,000 in 1977. "Paramilitary" forces—local militia and special forces—which are now at an undetermined level—would rise to 143,000 in 1972, 197,000 in 1973 and 557,000 in 1977. Combined regular and paramilitary forces would thus total 863,000 in 1977.

The number of U.S. personnel on military equipment delivery teams in Cambodia—now 23—would jump to 104 in fiscal 1972. The number of Americans in South Vietnam engaged in channeling supplies to Cambodia, now estimated at 60, would rise to 400. Some 96 nationals of other Southeast Asia nations would be brought into Cambodia at U.S. expense to help provide a "clerical infrastructure" for the supply and training operations. The village pacification program would have eight different aspects, including village development and primary education.

[From the New York Times, Oct. 17, 1971]
U.S. AND CAMBODIA: DOWN THE "SLIPPERY
SLOPE" AGAIN?

(By John W. Finney)

WASHINGTON.—When the issue of supplying military and economic aid to Cambodia was first before Congress last year, Secretary of State William P. Rogers, with obvious reference to the Vietnam involvement, gave assurances that "we have no intention of slipping

into the mistakes of the past. Last week the question of whether the United States was going down the same "slippery slope" in Cambodia was revived by the Senate Foreign Relations Committee as it set a \$250-million limit on United States spending in Cambodia in the current fiscal year.

The ceiling—incorporated as an amendment in the foreign aid authorization bill—was at least \$100-million less than the Administration plans to provide in military and economic aid to the Cambodia Government this year. And it placed the committee in clear opposition to a reported new program of the Joint Chiefs of Staff to build up the Cambodian armed forces.

The stage was thus set for another of those contests between the Senate Foreign Relations Committee and the Executive branch that for 18 months—since the overthrow of Prince Sihanouk and the American "incur-sion"—have so often centered on American policy in Cambodia. Last year the committee succeeded in passing an amendment prohibiting the introduction of American ground combat troops or military advisers into Cambodia. This year the fight will be over limiting military and economic aid to Cambodia, which started out at \$255-million last year and shows every sign of becoming a multi-year program costing billions of dollars.

Not unexpectedly, the first Administration reaction was a dire warning. John N. Irwin II, Under Secretary of State, wrote the committee that the proposed bill would "greatly dishearten" the Cambodian Government, "seriously threaten" its capacity to defend Cambodia, "greatly encourage a step-up of North Vietnamese aggressive action" in Cambodia and "significantly increase" the threat to American forces in Vietnam.

But Mr. Irwin seemed to take a significant step further when he defined the American purpose in Cambodia as one of "supporting the Government of the Khmer Republic in their efforts to maintain their independence and neutrality of Cambodia, which in turn enhances the prospect for ultimate peace in Southeast Asia." To members of the committee, that statement had a decidedly different ring from the repeated Administration reassurances last year that military and economic aid did not represent a commitment to the survival of the Cambodian Government but rather was designed, by diverting North Vietnamese forces, to protect the American troops as they were withdrawn from Vietnam.

For the dovish members of the committee, it was just that type of rhetorical escalation that contributed to the American entanglement in Vietnam. And they fear that the United States was going down the same road in Cambodia were compounded by last week's report that the Joint Chiefs of Staff had proposed a costly five-year program for Cambodia, including pacification and clandestine warfare by the Central Intelligence Agency.

The Joint Chiefs' report had a rationale was that such a program—which could double American spending in Cambodia by 1977—was necessary to protect South Vietnam's western flank as American troops are withdrawn from Indochina. On the face of it, that seemed to be a logical extension of the original justification for military aid to Cambodia. As American troops in South Vietnam are reduced to a residual force or perhaps withdrawn completely, the South Vietnamese forces, it can be argued, the natives need protection against Communist "sanctuary" on their Cambodian border.

But to members of the Foreign Relations Committee, the Administration and the Joint Chiefs seemed to be offering a prescription for indefinite military involvement in Cambodia, with the undesirable side-effect of a growing commitment to the survival of the Phnom Penh Government. Senator Stuart Symington of Missouri expressed fears that the real intention of the Joint Chiefs was to

"shore up" the borders of Thailand by establishing positions of strength in Cambodia and Laos "where we could remain indefinitely."

It remains to be seen whether through the device of a spending limit the committee can reverse the trend in Cambodia. The traditional approach has been to cut funds and the committee employed that weapon last week as it chopped nearly \$850-million from the Administration's \$3.3-billion foreign aid request, including \$140 million from the \$703-million requested for military aid to various countries, including Cambodia. A spending limitation is a new approach for the committee, and one that apparently caught the Administration by surprise.

One virtue of an absolute spending limit, from the committee's standpoint, is that it closes loopholes. The Executive branch has used—such as transfer of funds or provision of surplus weapons—to increase aid to a country beyond the amount appropriated by Congress. A spending limit, therefore, restricts the Executive's policy flexibility. It also establishes the principle of Executive accountability to Congress on what it is doing in a country.

Perhaps a spending limit may also force into the open the Administration's long-range plans for Cambodia, thus permitting a public debate before the nation has slipped into a policy of Executive discretion. If so, the Foreign Relations Committee, which admittedly cannot formulate policy, will have achieved one of its principal objectives of influencing policy before it is made.

MR. MANSFIELD and Mr. SYMINGTON addressed the Chair.

The PRESIDENT pro tempore. The time of the Senator from New Jersey has expired.

MR. MANSFIELD. Mr. President, may I be recognized?

The PRESIDENT pro tempore. The Senator from Montana is recognized for 3 minutes.

CAMBODIA

MR. MANSFIELD. Mr. President, I commend the distinguished Senator from New Jersey as well as the distinguished junior Senator from Missouri for the statements they have just made, and also the distinguished senior Senator from Missouri for the initiative he has shown in this respect.

I share the concern expressed by Senators who have spoken today and who will speak later on the continuation of what really amounts to a broadening of the war.

We are getting out of South Vietnam, but it looks like we are getting into Cambodia. It appears to me that the old pattern is perhaps being repeated; that the handwriting is on the wall for another Vietnam, despite all disclaimers to the contrary being in the offing.

I remember being in Phnom Penh in 1969, after President Nixon recognized the government of Prince Norodom Sihanouk. There were two people at the embassy then. At the time of the overthrow of Sihanouk, there were 11. Today there are something in excess of 150, and the trend is up. The public press carries stories to the effect that there is a 5-year military plan in existence for Cambodia.

I thought it was the intention of this Government to get out of all the old Indochinese states, and not to get into

another one on the scale in which we are already in Cambodia, because Cambodia has now been opened by the Defense Department for military operations, certainly from the air. I would assume that the Cooper-Church intention is being overridden; that the intention of the Symington proposal is being ignored; and it appears to me that the only way in which this Congress—this Senate, at least—can avoid loopholes and angles is to face up to the ultimate weapon in our inventory, and that is to cut off funds.

It is going to be hard. It is going to take a lot of determination, but we have tried everything we can to confine this war, to limit it, to get us out, and it seems we are thwarted at every turn. So, as far as the Senator from Montana is concerned, he has made up his mind. He has no intention to vote for funds in the grab bag known as the foreign aid authorization bill, nor will he vote for appropriations. The intention of Congress has been overridden too many times and too consistently and it is about time to stand up and be counted. I am sorry I am so late, but there is an old saying, "Better later than never."

I commend the distinguished Senator from New Jersey on his remarks today.

MR. CASE. Mr. President, will the Senator yield?

MR. MANSFIELD. Yes, indeed.

MR. CASE. I want to commend the majority leader. His leadership in this area is well known to all of us.

The PRESIDENT pro tempore. The time of the Senator has expired.

MR. BYRD of West Virginia. Mr. President, I yield my 3 minutes to the distinguished majority leader.

The PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

MR. MANSFIELD. Mr. President, I yield to the Senator from New Jersey.

MR. CASE. It is not he who is late. I think it is all of us who are late in following his leadership, and we are very grateful, as is the country, for it. I again thank the Senator, and I am deeply grateful.

MR. President, if I may, I yield back the balance of the 3 minutes to the Senator from Montana so the Senator from Missouri may have an opportunity to engage in any colloquy with him.

The PRESIDING OFFICER (Mr. ALLEN). The Senator from Missouri is recognized for 3 minutes.

MR. SYMINGTON. Mr. President, I thank the distinguished senior Senator from New Jersey, have read his talk, and am much impressed with his logic, and am much associated with him in commending the majority leader for the work he has been doing with respect to our position in Cambodia, trying to get us really out of this war. We all know he is an expert in this field.

I am also glad to join with the able Senator from New Jersey, as well as with my distinguished colleague from Missouri, in supporting the position presented by the able Senator from New Jersey.

MR. President, it occurs that remarks made by the President of the United States on June 30, 1970, are applicable to

what we are discussing this morning. President Nixon stated at that time:

Now that our ground forces and our logistic and advisory personnel have all been withdrawn, what will be our future policy for Cambodia?

The following will be the guidelines of our policy in Cambodia:

1. There will be no U.S. ground personnel in Cambodia except for the regular staff of our Embassy in Phnom Penh.

But our regular staff has increased tenfold:

2. There will be no U.S. advisers with Cambodian units.

3. We will conduct—with the approval of the Cambodian Government—air interdiction missions against the enemy efforts to move supplies and personnel through Cambodia toward South Vietnam and to reestablish base areas relevant to the war in Vietnam. We do this to protect our forces in South Vietnam.

Note his words, "air interdiction missions." But we are now offering the South Vietnamese troops in that country close air support:

4. We will turn over material captured in the base areas in Cambodia to the Cambodian Government to help it defend its neutrality and independence.

5. We will provide military assistance to the Cambodian Government in the form of small arms and relatively unsophisticated equipment in types and quantities suitable for their army. To date we have supplied about \$5 million of these items principally in the form of small arms, mortars, trucks, aircraft parts, communications equipment and medical supplies.

Putting it mildly, however, the character of our military aid program has changed:

6. We will encourage other countries of the region to give diplomatic support to the independence and neutrality of Cambodia. We welcome the efforts of the Djakarta group of countries "to mobilize world opinion and encourage Asian cooperation to this end."

The PRESIDING OFFICER. The Senator's time has expired.

MR. ELLENDER. Mr. President, I yield my 3 minutes to the Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri is recognized for 3 additional minutes.

MR. SYMINGTON. I thank the distinguished Senator from Louisiana:

7. We will encourage and support the efforts of third countries who wish to furnish Cambodia with troops or material. We applaud the efforts of Asian nations to help Cambodia preserve its neutrality and independence.

The only trouble about that Mr. President, is the fact that no aid from other countries has been forthcoming.

The President continued:

I will let the Asian Governments speak for themselves concerning their future policies. I am confident that two basic principles will govern the actions of those nations helping Cambodia:

They will be at the request of, and in close concert with the Cambodian Government.

They will not be at the expense of those nations' own defense—indeed they will contribute to their security which they see bound up with events in Cambodia.

The South Vietnamese plan to help. Of all the countries of Southeast Asia, South Vietnam has most at stake in Cambodia. A North Vietnamese takeover would, of course,

have profound consequences for its security. At the same time, the leaders of South Vietnam recognize that the primary focus of their attention must be on the security of their own country. President Thieu has reflected these convictions in his major radio and TV address of June 27. Our understanding of Saigon's intentions is as follows:

1. South Vietnamese forces remain ready to prevent reestablishment to base areas along South Vietnam's frontier.
2. South Vietnamese forces will remain ready to assist in the evacuation of Vietnamese civilians and to respond selectively to appeals from the Cambodian Government should North Vietnamese aggression make this necessary.
3. Most of these operations will be launched from within South Vietnam. There will be no U.S. air or logistics support. There will not be U.S. advisers on these operations.
4. The great majority of South Vietnamese forces are to leave Cambodia.

But there are still some 10,000 members of the South Vietnamese forces in Cambodia:

5. The primary objective of the South Vietnamese remains Vietnamization within their country. Whatever actions are taken in Cambodia will be consistent with this objective.

In this June 27 speech President Thieu emphasized that his government will concentrate on efforts within South Vietnam. He pledged that his country will always respect the territory, borders, independence and neutrality of Cambodia and will not interfere in its internal politics. His government does not advocate stationing troops permanently in Cambodia or sending the South Vietnamese Army to fight the war for the Cambodian Army.

Mr. President, I read those remarks in the Record, because in themselves, they emphasize the great importance of the speech given this morning by the distinguished Senator from New Jersey.

Mr. CASE. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. CASE. I want to say to the Senator, as he knew already, how deeply I appreciate his assistance in this matter.

I think it is only fair to him and to me, too, to say that the figures named in the amendment we have under discussion are not our first choices. I would have preferred a considerably smaller amount of money, and I know the Senator would join me in advocating a considerably smaller sized American contingent in Laos than that permitted by the amendment. We were dealing, however, not with a theory but with a condition. We needed action, and this compromise proposal would at least hold things approximately the way they are now.

Mr. SYMINGTON. Mr. President, I agree with the able Senator and have been privileged to work with him on this matter. We have one primary interest, to get American troops out of Southeast Asia.

I ask unanimous consent to have printed in the Record at this point an article published in the Washington Post of Thursday, September 16 of this year, written by Peter Osnos and entitled "Cambodian Town Destroyed by Napalm From U.S. Planes."

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

CAMBODIA TOWN DESTROYED BY NAPALM FROM U.S. PLANES

(By PETER OSNOS)

KOMPONG THMAR, September 15.—American bombers leveled most of this town with napalm just two weeks ago and the air is still rancid with the smell of ashes dampened by the monsoon rains.

Nearby, villagers described today how the planes, too fast to be the propeller-driven T-28s of the tiny Cambodian air force, streaked by and dumped their stocks on the Communist troops who were fiercely resisting government pressure on the ground.

Before the war, there were some 10,000 people living here, although with almost every building now destroyed, it's hard to imagine where. The people have scattered. Many fled closer to Phnom Penh, some went with the enemy, a few remain in the debris.

Kompong Thom is at a strategic crossing point on Highway 6 about 75 miles northeast of the capital. Not long after the Vietnam war spread to Cambodia in March 1970, the town and the villages all around it fell to the Vietcong and their Cambodian allies, the Khmer Rouge.

There was heavy fighting and destruction in the towns of Skoun and Tangkoug some twenty miles away, but Kompong Thmar was spared and local officials say that life under the Vietcong went on more or less as before.

Then, almost a month ago, a 15,000-man force, supported almost daily by American air strikes, began moving along Highway 6 in a determined effort to retake the road and sweep the Communists from the rice paddies and rubber plantations around it.

The eventual objective is to link up with troops operating from the provincial town of Kompong Thom, long surrounded by the enemy.

It is one of the fiercest offensives mounted by the Cambodians in a war that from Saigon or Washington seems perhaps more static than it actually is.

Lt. Col. Hh Suong, commander of the 1st Infantry Brigade Group, said his troops operating on the road met with little serious resistance until they reached Kompong Thmar, an important link in the Communist supply system extending to the capital from the northeastern province of Kratie.

He said his troops, four battalions, arrived at positions around the town about 5 p.m. on Aug. 31, but the Vietcong held them off with Chinese-made 75 millimeter howitzers.

"It was a very hard battle," the colonel said proudly, as he gazed at a map of the area laid out on a small wooden table in the neighboring town of Baray where the drive is now headquartered.

NAPALM BOMBERS

What made the difference apparently was firepower. The colonel's English-speaking sergeant, trained in South Vietnam to call in United States air strikes, went to work and observation planes arrived quickly followed by the napalm-carrying bombers, probably F-4 Phantoms.

The colonel, alone among his officers, said the planes were the smaller A-37s. He also maintained, unlike the others, that much of the damage to the town was caused by the Vietcong who exploited an ammunition dump they were keeping there.

Casualties from the fighting are unknown. Cambodians claim none of their troops were killed at the time and only one since. As for the villagers, all were said to have fled before the bombing began. Only three enemy bodies were discovered, one officer reported, the rest having been burned or carried away.

Cambodian soldiers are killed now in a destroyed school outside the town where Vietcong troops were camped only a month ago. The Communists have pulled back, but the crackling sound of gunfire indicates that some are still very close by.

WIVES AND CHILDREN

Beginning in Skoun, Cambodian troops are much in evidence dug in positions alongside the road (accompanied by their wives and children) but none of the other towns they have retaken fared anywhere as badly as Kompong Thmar.

The heaviest U.S. airstrike hit at enemy concentrations in a rubber plantation called Chankar Andong.

Col. Suong said his two most recent intelligence reports show 200 enemy soldiers there with a heavy regiment on the way to back them up. The plantation is to the east of the highway, beyond the populated areas.

From the standpoint of the government, the current operation, known as Tchenia Two, has been an enormous success so far, bringing back under Phnom Penh control an important part of a vital population and transportation corridor. Even without the razing of Kompong Thmar, the cost has been relatively low, Cambodian officers said.

PSYWAR CAMPAIGN

To consolidate its gains with the people, the army has mounted a psychological warfare campaign headed up by Col. Lon Non, brother of the prime minister Lon Nol. Yesterday in Baray a ceremony was held to mark renewed government presence. A leading monk spoke, comedians performed and some awards were handed out. Several thousand people were on hand, and it is believed that 11,000 people in all remain in the vicinity.

Another part of the campaign has been to publicize Communist atrocities during their occupation. Much has been made in the Phnom Penh press and radio of the discovery of multiple graves where villagers assassinated by the Communists were buried. The government estimates that 100 persons were killed this way, but fewer than 20 bodies have been turned up so far.

The Cambodians are anxious to restore life to its old pre-war patterns as quickly as possible and, unlike South Vietnam, the job of pacification seems relatively simple, as support for the government appears genuine for the most part.

But in Kompong Thmar there can be no recapturing of the past.

"We will wait for peace to come, then we will rebuild," said one farmer who lived there.

Mr. CHURCH. Mr. President, first I wish to express my wholehearted support for the position taken this morning by the distinguished Senator from New Jersey (Mr. CASE), the able Senator from Missouri (Mr. SYMINGTON), and our eminent majority leader, Mr. MANSFIELD. If ever it were apparent that congressional action is necessary to impose limits on the mushrooming American involvement in Cambodia, it is now. I commend Senator CASE for his excellent address, and I associate myself with the remarks of the majority leader.

Congress has only one effective weapon, and that is the power of the purse. We must not only apply it in Cambodia to avoid sliding down the slippery slope of another Vietnam, but we must also apply it in Vietnam itself, to make certain that our withdrawal of forces there continues, and that we avoid ending up with a residual force of indefinite duration.

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It is for that purpose that the Senator from Kentucky (Mr. COOPER) and I have offered another amendment to the foreign aid bill. It is offered in furtherance of the same objective, pulling up on the purse strings to restrict the theater of war and expedite the total withdrawal of all American military forces still remaining in Indochina.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CHURCH. I am happy to yield to the Senator from Missouri.

Mr. SYMINGTON. I congratulate the Senator and could not agree with him more. It is mine for the Congress to now bite the bullet of controlling the money that makes these operations possible.

To complete the record, Mr. President, I ask unanimous consent to have printed in the Record a letter dated October 13, 1971, from the Acting Secretary of State to the chairman of the Committee on Foreign Relations, Mr. FULBRIGHT.

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

DEPARTMENT OF STATE,

Washington, D.C., October 13, 1971.

Mr. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations,
U.S. Senate.

DEAR Mr. CHAIRMAN: The October 8 edition of the Washington Post reported that Senators Case and Symington plan to introduce an amendment to the 1972 Foreign Assistance Act which would limit the total authorization for United States assistance to Cambodia, excluding air support, to \$200 million and would additionally limit the number of United States Government personnel resident in Cambodia to 150. The Administration is aware that your Committee is currently marking up the 1972 Foreign Assistance Act and is forwarding its views on this proposed amendment so that you and other members of the Committee can have them as soon as possible.

The Administration is convinced that if this amendment is enacted, it would seriously threaten the capacity of the Government of the Khmer Republic to defend itself. It should be recalled that approximately five NVA VC Divisions are currently on Cambodian territory. As U.S. withdrawal from Vietnam proceeds, we believe that it is essential that our assistance programs in Cambodia be maintained at necessary minimum levels so that Cambodia will be able to continue to carry out the responsibility for its own defense. An amendment, which cuts our requested assistance program to Cambodia by approximately 40 percent and which eliminates the President's authority to provide additional assistance if circumstances require, could greatly encourage a step-up of North Vietnamese aggressive action in Cambodia and would greatly dishearten the Government of Cambodia. Additionally, the threat to American forces in Vietnam would be significantly increased.

In this connection, we wish to point out that since the inception of our assistance programs to the GKR, we, in accordance with the Nixon Doctrine and repeated expressions of Congressional concern, have limited our military assistance to programs designed to help the GKR meet the economic dislocation caused by the North Vietnamese invasion.

There are no American ground troops in Cambodia. As you know, MEDT personnel and Defense attaches are not serving as military advisors to the Armed Forces of Cambodia. The Cambodians, with limited external assistance, have in a very short period of time expanded their armed forces from 35,000 to

approximately 200,000; taken steps to meet the economic burdens imposed upon them, and have not only held their own against enemy attack, but have regained control over substantial populated areas which were previously overrun by the enemy. We believe that with continued United States assistance at the levels requested by the Administration, the Cambodians with some external logistics and maintenance support will continue to make progress in defending their country from foreign invasion.

We wish to make it clear that there is no civil war in Cambodia. The Khmer people have been attacked by the North Vietnamese who have not succeeded in drawing more than a small number of Khmer to their side. We are supporting the GKR in their efforts to maintain the independence and neutrality of Cambodia which in turn enhances the prospects for ultimate peace in Southeast Asia.

The Administration's best judgment is that an assistance package of \$330 million in FY 72 is the minimum essential to help the Cambodians consolidate their independence; furthermore, the President must retain authority to allocate additional amounts of assistance if emergencies arise. It may well be that the mix between economic and military assistance may change somewhat as conditions change during the course of the year.

We share the concern expressed by the Congress over sending large numbers of American personnel to Cambodia and have made a deliberate effort to keep our personnel there at the lowest possible level. Of the 143 Americans currently employed in the Embassy at Phnom Penh, 50 are directly involved in the military assistance program. Although we anticipate that staff adjustments may be necessary in the future in order to assure that our aid to Cambodia is handled in accordance with current legislative and regulatory requirements, it will continue to be our policy to maintain American staffing in Cambodia at a minimum.

Sincerely yours,

JOHN N. IRWIN II,
Acting Secretary.

Mr. COOPER. Mr. President, I shall address myself briefly to the statements of the Senator from New Jersey (Mr. CASE) and the Senator from Missouri (Mr. SYMINGTON).

I may say that the amendments which have been offered cause me some difficulty, and I have expressed my problems to both my colleagues.

On the one hand, the approval of any amendment might be considered as approval of operations in these countries, for which Congress has given no authority. On the other hand, if support is not limited it could lead to an expansion of the war such as we have seen in Vietnam.

So, after much thought, I believe limitations should be placed, as are offered by our colleagues.

I would point out that these amendments and the problems they cause bring up again the tragedy of this war. These countries are involved not because they want to be involved, but because the United States is involved in war in Vietnam with the North Vietnamese, who were the first aggressors. Without question I believe that as long as we are there because of the involuntary involvement of these countries, we should, as a matter of justice, provide them some economic aid and some limited military aid to protect themselves. But I submit that all this leads to only one conclusion: The only way these countries—the small

countries of Laos and Cambodia—as well as the United States, will be freed from this war is by the complete United States withdrawal from the war, not a withdrawal with a remaining residual force, because if that occurs, fighting will continue in these countries.

The President has reversed past policies, he's winding down the war, and for this I praise him, and he should be praised, but I hope he will determine that we should withdraw completely all our forces—land, sea, and air. If that occurs, I believe that peace will come to the poor countries of Laos and Cambodia. There will be some chance for an international arrangement for them to have peace, at least surcease from fighting, as there will be in Vietnam.

So I hope that this effort, which our colleagues have so eloquently advocated on the floor today, will be followed by further action on the part of our President, who is reducing and bringing our forces home, to simply say that we are going to get out all forces.

I hope very much that the amendment of the Senator from Montana will be approved by the House, as an expression of the Congress, that it is our sense that this war should be ended.

Mr. CASE. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. CASE. I just want the time to express appreciation to Senator Cooper and Senator Church for their additional backing of the effort we are making here. I agree wholeheartedly with Senator Cooper in his observation that we are faced with no other real choice for ending the situation than the one he suggests. I have supported his approach in voting for the Hatfield-McGovern amendment and then for the excellent proposal of the majority leader, the Mansfield amendment. I hope the Mansfield amendment will be accepted by the House. If none of this is successful, I plan to support the new Cooper-Church proposal, which has not yet been unveiled, but which I am confident the Senator from Idaho and the Senator from Kentucky will offer as a means of accomplishing this result. They are absolutely right.

In the meantime, it is essential that we do not increase either the size or the intensity of the war in Cambodia or anywhere else in Indochina.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. SYMINGTON. Mr. President, I, too, would express my appreciation to the able Senator from Kentucky for his remarks with respect to the efforts of the Senator from New Jersey and myself and would also associated myself with the remarks of the Senator from Idaho on this all important subject.

I would again present to my colleagues the apprehension growing in my mind that the increased interest in Cambodia, along with the long-standing interest in Laos, is but outward expression of an inward decision to create and support a military bastion in Thailand, which country is not a part of Indochina, with plans to stay there indefinitely.

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It is for that reason particularly that I look forward to the new Cooper-Church amendment currently being considered according to the Senator from Idaho.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the transaction of routine morning business.

UNITED STATES-CANADIAN
FRICTION

Mr. CHURCH. Mr. President, I would like to take this moment to express my deep concern about the increasing anti-U.S. sentiment in Canada.

During the last decade, Canadians have been moving toward the conclusion that they are, in effect, subservient to the United States, and they are searching for peaceful ways to reassert their national independence. Where this search will lead them is still unclear, but the growth of Canadian nationalism is a reality which we, in the United States, must reckon with and acknowledge.

Living, as it does, next door to an economic and political colossus which engulfs its neighbors with the incessant export of its capital and culture, Canada is undergoing a serious identity crisis.

As Prime Minister Trudeau stated in a recent speech, the "overwhelming presence" of the United States is endangering Canada's "national identity from a cultural, economic and perhaps military point of view."

Such an assertion is not altogether unfounded. Statistics indicate that American investment in Canada totals almost \$34 billion, with about two-thirds of this amount representing direct investment in industry. U.S. businessmen own or control about 85 percent of Canada's mining companies, 90 percent of its electric utilities, and almost 95 percent of its auto industry.

In reaction to this overreaching, Canada has veered sharply away from U.S. policies. In 1970, Prime Minister Trudeau sought closer diplomatic relations with mainland China, and moved to apply Canadian pollution standards to shipping in the Arctic within 100 miles of Canada. He resisted President Nixon's bid for a common policy for the use of North American energy sources, and he extended Canadian fishing limits by excluding foreign vessels from huge areas of Canadian coastal waters.

This impulse of Canada to find a more independent course in foreign affairs has its roots in the events of the 1960's. The shocked reaction in Canada to racial conflict, riots, and political assassination in the United States, along with Canadian distaste of the Vietnam war, fostered a wave of anti-Yankeeism which swept through Canada's intellectual and artistic community.

Unfortunately, these ill-feelings not only continue to persist, but the administration's August surtax on imports from Canada has exacerbated them still further.

It is possible that President Nixon has been badly informed about Canadian

circumstances and, as a result, is insensitive to their predicament.

This is evident from the U.S. rejection of Canada's plea for an exemption from the import surcharge. Certainly, if there is any one country that deserves an exemption, Canada is that country. Some 20 to 25 percent of Canada's gross national product involves international trade and two-thirds of this is with the United States. In 1970, our exports to Canada amounted to \$9 billion, nearly twice as much as we export to any other foreign country. Our imports from Canada totaled \$11.09 billion. The Canadian-American Committee, sponsored by the National Planning Association of the United States and the Private Planning Association of Canada, stated in 1967 that the United States-Canadian trade is not only the largest bilateral flow in the world but the greatest trade volume that has occurred between any two nations in all of history.

Before the import surcharge, about 70 percent of our imports from Canada entered this country duty free and some 64 percent of our exports to Canada were similarly duty free. Moreover, Canada has long since allowed her currency to "float free" so as to avoid any artificial advantage in exchange rates vis-à-vis the U.S. dollar.

Even though Canada refrains from retaliating in kind to our surtax, the Nixon package may produce other harmful effects. This is the third time in a decade that Canada has unsuccessfully appealed to Washington for an exemption from a balance-in-payments measure. Also Canada's unemployment rate has now reached 7.1 percent, considerably higher than our own.

Mr. Trudeau has always regarded Canadian nationalism as a regressive force. Nevertheless, events and public opinion are forcing him to make policy decisions which reassert or even extend the area of Canadian national control. As the next Canadian election rapidly approaches, all signs seem to indicate that it will be fought on fiercely nationalistic lines.

I only hope, in order to stem the rising tide of anti-Yankeeism now swelling in that country, that future U.S. foreign policy decisions show more deference to Canadian sensitivities.

In an effort to illustrate my concern, I have assembled an assortment of articles concerning Canada's political life, economic developments, and foreign affairs. I ask unanimous consent that these articles on modern-day Canada be printed at this point in the RECORD.

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

PART I.—UNITED STATES-CANADIAN
ECONOMIC RELATIONS

[From the New York Times, Feb. 7, 1971]

CANADA: ECONOMIC NATIONALISM—INCREASING
AMERICAN INVESTMENTS STIR RISING OP-
POSITION

(By STANLEY COWARD)

TORONTO.—An elderly, once powerful member of the liberal party was asserting the other day that the party has become more interested in economic nationalism in the last year.

When asked who the party's nationalists

were, the former Minister named two members of the Ontario Legislature, several parliamentary backbenchers, and, tentatively, one Cabinet member whose duties keep him out of Canada's running debate on whether and how to restrict United States investment in Canada for the sake of Canadian independence.

Unintentionally, the old Minister had confirmed that Canada's Liberals, who have governed this country for 35 of the last 35 years, are less susceptible to the teachings of the nationalists than have been Canadians generally.

Yet, the present Liberal Government, headed by an economically conservative composite, Pierre Elliott Trudeau, has moved toward the new style of nationalism. A few days ago, after eight years of liberal promises, it introduced legislation to create a Canada Development Corporation, a combination merchant bank and investment company charged with the mission of making the Canadian economy more Canadian and less American.

In a similar spirit, the Trudeau Government has blocked American take-overs of a finance company and a uranium mine, thereby broadening earlier restrictions on foreign investment in banks, insurance companies, utilities, publishing and broadcasting. It has undertaken a broad review of foreign-investment policy.

Last week, the Government vowed to "do everything possible" to block the proposed take-over of the Home Company, the largest Canadian-controlled company, by Ashland Oil, Inc., of the United States.

Historically, striving to maintain a separate identity has been part of Canadian life at least since the annexation of 1812. Some historians believe that if in the late 19th century the infant Ottawa Government had not risked fiscal ruin to build a trans-continental railroad, Canada by now would have succumbed to the political implications of natural north-south trade border patterns of trade and migration.

Traditionally, the Conservatives have been Canada's nationalists, at least rhetorically. In fact, their high tariff aimed to attract foreign capital, a result their Tories desire.

Only in the last decade has nationalism come to mean opposition to foreign investment. Now, even Trudeau Liberals and professional money-men are being carried in that direction by a current of public opinion that seems to be widening each year.

In banking and securities houses, it is now fashionable to say, "I'm a Canadian nationalist." One then hastens to explain what kind—certainly not the kind who belongs to the socialist, left wing of the New Democratic party. More probably, one means the kind who opposes restricting new American investment but favors tight control of foreign subsidiaries.

Why is Canada becoming more nationalistic even as Western Europe is moving away from nationalism? What makes Canada more dubious about American investment, television, movies, magazines, music and managers?

The answers have to do with an emerging sense of identity in a former British colony that feels itself being sucked into the wake of the superpower next door, a neighbor that buys two-thirds of Canada's exports. It has to do also with a new sense of the United States as a place not to emulate—and that is a 180-degree swing in Canadian thinking, with the intellectuals in the van.

The view that United States investment is the entering hedge of political and cultural domination, not to mention the economic cost of such investment, is articulated in "Silent Surrender, and Multinational Corporation in Canada," by David Levitt. Mrs. Levitt is an economist in her 40's who teaches at McGill University in Montreal and is do-

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ing an input-output study for the Dominion Bureau of Statistics.

The fact that the \$4.95 paperback edition has sold more than 4,000 copies, according to the publisher, Macmillan of Canada, Toronto, probably discloses something about public receptivity to economic nationalism and anti-Americanism.

The success of "Silent Surrender" may be traced to its good notices, to its polemical tone and to its timeliness. A small army of instinctive economic nationalists, mostly young and Eastern, has been waiting to be armed with ammunition such as Mrs. Levitt's. One reviewer, Hugh Thorburn of Queen's University, said that Mrs. Levitt "presents the most scholarly and convincing analysis" of American "ownership and control of our economy."

Mrs. Levitt adduces figures that demonstrate the growing American role in autos, rubber, chemicals, electrical equipment, farm machinery, oil and gas, mining and smelting. In each, the share of capital under American control exceeds 50 per cent.

Other figures relate research and development expenditures to manufacturing sales, and find the ratio lower in Canada than in the United States.

Mrs. Levitt shows that a large part of the growth of foreign subsidiaries in Canada has been financed by them out of profits or domestic borrowing and not by the importation of fresh capital. This leads Canadians to tell one another, "They're buying us out with our own money."

However, "Silent Surrender" is not all economics. There are bracing passages of soul by Mrs. Levitt, a soft-spoken, caring woman who was raised in Vienna and who is the daughter of Karl Polanyi, the late economic historian.

SHE writes: "Although branch-plant industry, branch-plant trade unions, branch-plant culture and branch-plant universities are undermining traditional Canadian values, yet these values persist. Respect for law and order, regard for civil rights, abhorrence of mob rule and gangsterism (whether practiced at the bottom or the top of the social scale) and traditional respect for Ottawa as the national Government of the country are still deeply felt in English Canada. These are the elements of English-Canadian patriotism and they define the English Canadian, as distinct from the American. This value system is as real as the branch plants. It is the source which nourishes English-Canadian nationalism and it is reinforced by every action of the United States which violates these values."

A Canadians may balk or boggle at this distinction. A growing number of Canadians accept it.

Mrs. Levitt offers a theory of direct investment as cultural aggression: "The global profitability of the international corporation is assisted by every influence which eliminates cultural resistance to the consumption patterns of the metropolis. The corporation thus has a vested interest in the destruction of cultural differences and in a homogenized way of life the world over."

The standard answer to the nationalist is that Canada needs more foreign capital. Mrs. Levitt and others dispute that. "There is a lack neither of savings nor of opportunities for profitable economic activity," she writes. "Canada provides the classical case of a rich, underdeveloped economy in which the capital markets are too narrow to channel local savings into local investments."

Unfortunately, Mrs. Levitt does not tell how to rechannel savings. More unfortunately, glaringly absent from her book is a concluding chapter of prescriptions, or at least approaches.

What should Canada do about Canadians who invest in the New York stock market? About the excessive number of refrigerator producers, that overworked example of the

"miniature replica" effect? About American subsidiaries that refuse to sell to Cuba? About the making in New York or Detroit of decisions that affect Canada? About American subsidiaries that borrow Canadian dollars with which to make more profits in Canada for American owners? About limiting United States investment in Canada without thwarting the search for new enterprises and jobs for high-unemployment regions such as Nova Scotia and Quebec?

Mrs. Levitt explained a few weeks ago that she had omitted such a chapter because it would have taken another year of work and she wanted to get the book into print. However, in a long, informal conversation she made recommendations and also expressed some of the feeling that impel many Canadians to want to disentangle their country from the United States.

Some of her remarks follow:

"I like to see communities which are small enough that they in some way can sort out their own destiny. I have a real horror of large and huge political entities like the United States and the Soviet Union because I think they have sort of depersonalizing influences."

"America is just too big. Any individual is very, very far from the center of power. In fact, one sometimes gets the impression that even the President of the United States isn't really in control."

"Canada is less of a jungle. There are more sanctions on people's antisocial behavior."

"Massive American investment together with the similarity of tastes and cultural pattern brought through the similar consumer goods has certainly strengthened the trend toward continental integration or annexation."

"The Ottawa Government should set up some kind of regulation governing takeovers of Canadian firms by foreign companies, but principally really directed at further takeovers by American companies. There should be some areas of activities in which takeovers should be prohibited... the media... that really very sensitive, sensitive—in terms of a national cultural guts-area."

"There is a very strong case for some public sector investment in resources, some governmental presence to insure the greatest benefit of a resource to a country over a long period."

"The Canadian Government hasn't bargained hard enough. Canada has resources and the United States has markets. When the United States needs our resources, I think we just give them away too easily, because of political pressure—pressures from provincial governments, pressures for elections."

"The problem with Canada in some ways is just that we've been too blasted rich. We have a pile of resources and we have the sort of sense that we can always sell them off to make a fast buck. But if a country is serious about insuring for its future viability and its future prosperity, you don't just sell off everything for a fast buck. And I think this has been the mentality of Canadian business and Canadian Government. Canadian business sells out anything for a fast dollar. And Canadian Government's really not too much different."

[From the Washington Post, Feb. 14, 1971].
PENETRATION BY FOREIGN BUSINESS MAKES
CANADA UNEASY

(By Max Harrelson)

OTTAWA.—Canadians are being reminded constantly of the extent of Americans' hold on this country's business affairs. Many of them are chagrined, and efforts to curb the increasing foreign ownership of industry and resources are getting attention from Prime Minister Pierre Elliott Trudeau.

The total U.S. stake in Canada is reckoned at more than \$34 billion. They may not seem

much to Americans, who have a trillion-dollar economy and a gross national debt exceeding \$350 billion. Canada, however, has only a tenth of the U.S. population and a lot less money and credit for development on its own.

There is widespread concern that the current trend, if continued, would threaten Canadian independence.

A recent Gallup poll indicated that 62 per cent of Canadians feel that the country already has enough American capital, and the Trudeau administration proposes the creation of a development corporation "to help develop and maintain strong Canadian-controlled and Canadian-managed corporations in the private sector."

There are signs that other measures are on the way, most likely including tax revisions placing foreign investors at a disadvantage, and perhaps limiting the scope of future investments.

There is not much likelihood of such extreme steps as nationalization, as urged by the left-wing New Democratic party, or trying to buy back controlling interests in companies now owned by U.S. investors.

Spearheading the drive for curbs is the newly organized Committee for an Independent Canada, which is pushing for a program of government action, generally acknowledged to be moderate. In addition to backing the creation of a development corporation, the group seeks a federal agency to regulate and supervise the conduct of foreign-controlled corporations and to pass on proposed takeovers of Canadian firms.

The issue is being pressed because U.S. takeovers are continuing to increase. American investors have obtained control of 1,000 Canadian companies since 1960. In all, about 8,000 companies are under foreign control, which means mainly U.S. control.

Foreign control of Canadian industry—steadily increasing for two decades—has reached 57 per cent of manufacturing, 83 per cent of oil and gas, 42 per cent of metal mining and 85 per cent of smelting.

Canada has already taken action to prohibit foreign ownership of such industries as railroads, airlines, banking, insurance companies, radio, television, newspapers, magazines and uranium mining.

Whatever actions the government takes it must consider whether cuts in foreign investment would reduce the opportunities for Canadians to earn a living.

[From U.S. News & World Report,
July 19, 1971]

IS CANADA TURNING AWAY FROM U.S.?

OTTAWA.—In a country where anti-Americanism is a way of life for many, some Canadians are starting to worry openly about worsening relations with the United States.

Main target of criticism is their colorful—and controversial—Prime Minister, Pierre Elliott Trudeau. The worry is that Mr. Trudeau is turning the country away from an old friend without making dependable new ones.

Since he became Prime Minister in April, 1968, Mr. Trudeau has—among other actions—spoken out against U.S. policy in Vietnam and Cuba, halved Canada's troop strength in the Atlantic Alliance, recognized Communist China and signed an agreement with the Soviet Union calling for periodic high-level talks between the two countries.

OVERWHELMING PRESENCE

While in Moscow in May—the first visit to Russia by a Canadian Prime Minister—Mr. Trudeau also criticized the "overwhelming presence" of the U.S., which he said is endangering Canada's "national identity from a cultural, economic and perhaps even military point of view."

Critics of Mr. Trudeau charged that he was allowing the Soviet Union to drive a wedge between the U.S. and Canada. Mr.

Last year Congress expressed its clear will to avoid such an entanglement when it acquiesced in what was described by the administration as a modest level of assistance for Cambodia. Aid was given to Cambodia only with the accompanying limitations that no American military forces or advisers would serve in Cambodia—Cooper-Church amendment—that the aid was not to be construed as a commitment to the Cambodian Government—Javits amendment—and that there could be no transfers of additional assistance to Cambodia without prior notice to Congress—Case-Symington amendment.

Congress insisted on these limitations because it wanted to assure that Cambodia would not become another Vietnam. The President concurred and signed into law all the congressional limitations.

Yet the thrust of the Joint Chiefs' memo goes considerably beyond the clear intent of Congress to limit our involvement. And the Joint Chiefs apparently plan to do this without any additional legislative authority or public debate.

Perhaps the Congress and the American people are now willing to make the kind of commitment to Cambodia that the Joint Chiefs propose. My own view is that they are not willing. If anything is clear, it is that the United States wants to disengage itself from Southeast Asia. In any case, these are questions for the Congress and the people to decide in concert with the executive branch.

The press reports listed four methods proposed by the Joint Chiefs that could be used to skirt congressional authorizations on spending in Cambodia. I categorically reject this approach of surreptitiously siphoning off money from other parts of the budget to provide funds for Cambodia above and beyond what Congress approves.

Such methods are totally inconsistent with our constitutional system. If loopholes exist in the law that allow funds to be shifted around so easily, then those loopholes should be closed. The so-called discretionary powers contained within the foreign aid laws were only included in order to give successive administrations sufficient flexibility to react quickly to unforeseen events abroad such as an earthquake in Peru or famine in Pakistan. The intent of Congress was not to provide the kind of flexibility which would allow the Executive to request a certain amount of money for a program with the expectation at the time that more money would immediately be needed and that it could be secretly diverted from other parts of the budget.

I have had drafted legislation which would attempt to close each one of the four loopholes listed by the Joint Chiefs. But on reflection, I have decided that to close specific loopholes is not the answer, although I might later introduce such legislation if other efforts fail. The Executive, if it is so determined, can always find ways to get around particular prohibitions.

A good example is the case of Thai troops in Laos. Last year the Congress passed an amendment banning the use of foreign troops in Laos paid for by U.S.

funds. The President signed this provision into law. Then this year, we learned that the United States was indeed paying for Thai troops in Laos, but somehow these Thai troops were not considered to come under the ban because they were so-called volunteers and thus not foreign troops.

In July, I introduced an amendment which would tighten the language on the use of foreign troops in Laos to include "volunteers." Similarly, I have pending five additional amendments which would close other loopholes or loosely worded provisions. But the law seems like a leaky dike with new holes appearing just as quickly as we close the old ones.

It is for this reason that I have introduced with the senior Senator from Missouri (Mr. SYMINGTON) an amendment which would place an absolute ceiling on all American expenditures in Cambodia. Moreover, Senator SYMINGTON is joining me in my earlier amendment which would freeze the number of Americans in Cambodia at 200 U.S. Government employees and fix third-country employees at 50.

Our amendment states that total American spending in or for Cambodia cannot exceed \$250 million. This figure, unfortunately, is considerably below the \$330 million the administration is requesting and even further below the roughly \$380 million the Joint Chiefs would like to spend. However, it would maintain our programs in Cambodia at about current levels.

I am extremely pleased that the Case-Symington amendments have been tentatively approved by the Foreign Relations Committee.

It is essential in authorizing foreign aid for 1972 that Congress shows that our commitment to Cambodia is not open ended. The Senate recently approved a similar Symington proposal for Laos which would place a \$350 million limit on expenditures in that country. We should do the same for Cambodia and with great urgency, for in Cambodia we at least have not yet passed the point of no return with our involvement.

It is now clearer than ever that the administration should come to Congress and the American people with our future plans and intentions for Cambodia. We should not have to be dependent on leaks of secret documents for our information, and we certainly cannot rationally make decisions without sufficient information.

In the meantime, the United States should take no action which would in any way increase our commitment to Cambodia. We should go no further without a clear understanding of the stakes involved in creating yet another client state in Southeast Asia.

Mr. President, I ask unanimous consent to have printed in the RECORD several recent newspaper articles on Cambodia, including the October 13 article from the New York Times, an excerpt of which was printed in the RECORD at the request of the junior Senator from Missouri.

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

[From the New York Times, Oct. 13, 1971]

JOINT CHIEFS SAID TO ADVISE COSTLY CAMBODIA WAR PLAN

WASHINGTON.—The Joint Chiefs of Staff are said to have designed a costly program of "pacification" and other unconventional warfare for Cambodia to protect South Vietnam's western flank as Americans continue their withdrawal from Indochina.

They have also proposed a series of budget devices to augment the funds that Congress will be asked to provide for expanding the Cambodian Army over the next five years.

The Chiefs submitted their program last month to Secretary of Defense Melvin R. Laird, according to Congressional sources. Mr. Laird, who has been bargaining with the Chiefs since June about the cost of the effort, is described as still reluctant about the latest version, which doubles spending to about \$500-million a year for 1977.

The final decision, however, will rest with a senior policy review group run by Henry A. Kissinger, the President's adviser on national security affairs.

How to protect Cambodia from the North Vietnamese forces and deter them from the use of Cambodian territory for attacks against South Vietnam's population centers has become a major problem for Pentagon planners. As the American forces in Vietnam are reduced to 50,000 men, at the most, and come to rely on air power for operations in the rest of Indochina, the planners are looking to indigenous forces to carry the burden in ground combat.

With a first-year grant of \$185-million in military aid and \$70-million in economic aid, the Cambodian Army has already been expanded from 30,000 men in April, 1970—when American troops invaded the North Vietnamese "sanctuaries" in Cambodia—to a current strength of about 180,000. The Cambodians are said to have fought well, but most of them are no match for the 60,000 North Vietnamese in their country, mostly east of the Mekong River.

SAIGON TROOPS UNPOPULAR

South Vietnamese troops have periodically moved into Cambodia to help out, but they are no more popular among Cambodians than the Communists forces from the north and will in any case be needed for the defense of their own territory.

When the Joint Chiefs of Staff first considered the problem last June, they proposed a 1971-72 military aid program of \$350-million. Congressional informants report. Secretary Laird said that he could not afford that much and that Congress would not support such an increase.

The chiefs said that with a \$200-million in military aid they could not increase the size of the Cambodian Army, but for \$275-million they could expand it to 250,000 men. Mr. Laird's budget pruners said that such an increase in strength could probably be achieved with \$252-million.

But as finally submitted to Congress, the Cambodian aid program called for \$200-million in military aid, \$110-million in economic assistance and \$15-million worth of agricultural commodities, for a total of \$325-million. This was a net increase of \$61-million over last year's allocations.

ALTERNATE PLANS OFFERED

Nonetheless, in explaining their elaborate military plans to Mr. Laird in a memorandum dated Aug. 30, the Joint Chiefs indicated that they could get around the limit on military spending and proceed with the build-up.

According to informants, the Chiefs offered four different ways of generating an additional \$52-million so as to add 40,000 troops to the Cambodian Army and also raise the "paramilitary" force of armed civilians to 143,000.

The first way would be simply to transfer \$52-million from the economic aid program to military spending, which can be done later in the fiscal year simply by the Administration notifying Congress. The second way would be to use the economic aid fund for the purchase of all "common use" items such as trucks and jeeps, which have military as well as civilian value, thus freeing other military funds.

A third way would be to increase procurement for the United States Army by \$52-million and give the materiel to the Cambodians for "repayment" later. The fourth way would be to make some exceptions in Defense Department supply regulations, declaring additional equipment to be "excess" and delivering it to the Cambodians.

The Pentagon planners said they were looking ahead to further increases in the Cambodian Army, so that it would number 256,000 men by mid-1973 and more than 300,000 men by 1977. The paramilitary units they believe, must be augmented to nearly 100,000 by mid-1973 and more than 200,000 in 1977. This would mean arming about 10 percent of Cambodia's population of 7 million, or nearly half the adult male population.

The Joint Chiefs would provide for a mechanized brigade, and artillery brigade and coastal patrol units, as well as ground troops and extensive logistic support. They would look to the Agency for International Development to help finance the parliamentary defense forces, including the police. The Central Intelligence Agency would be asked to mount additional programs and to provide airlift support.

The program of activity drawn up by the Joint Chiefs is divided into four headings, labeled "Pacification," "Unconventional Warfare," "Psychological Operations" and "Civil Affairs." The country would be divided into eight pacification areas and this program would be supervised by a new United States Deputy Ambassador—as in South Vietnam—in a new embassy structure.

The Pentagon would also establish a three-nation military committee with the Cambodians and South Vietnamese, in which the Defense Department would be represented through Gen. Frederick C. Weyand, the deputy commander of American forces in Vietnam.

From the Washington Post, Oct. 14, 1971]

CAMBODIA AID LIMIT PUSHED

(By Spencer Rich)

The Senate Foreign Relations Committee voted 9 to 4 yesterday to clamp an absolute limit of \$250 million on all forms of U.S. military and economic assistance to Cambodia in fiscal 1972.

The proviso was added to the foreign aid bill on the motion of Sens. Clifford P. Case (R-N.J.) and Stuart Symington (D-Mo.).

Case said it is intended to prevent an "indefinite escalation" of U.S. outlays for Cambodia. The fiscal 1971 aid level is also about \$250 million, but the administration had sought \$341 million for fiscal 1972.

A second part of the amendment puts a ceiling of 200 on the number of U.S. personnel in Cambodia to prevent a buildup of the U.S. military equipment aid group. U.S. personnel there now number 150.

A third part of the amendment limits the number of third-country nationals who can be paid from U.S. aid funds to 50. This is designed to prevent use of U.S. funds to hire radio operators, mechanics and supply clerks from such nations as Thailand, the Philippines and Korea. No such personnel are there now, but sources said there were plans to hire 100 or more.

Before the vote was taken on the Case-Symington amendment, sponsors accepted

additional wording by Sen. Jacob K. Javits (R-N.Y.) stating that the provision of military and economic assistance to Cambodia, within the limits imposed, does not constitute a U.S. commitment to the defense of that country.

The Case-Symington measure originally imposed a \$200 million aid limit and a 150-man ceiling on U.S. personnel. But Case said the figures were raised in committee to indicate that "this wasn't intended to be a sharp reduction of existing programs, but a limit on indefinite escalation" to give Congress time to study how far the United States should go in supporting the war in Cambodia.

Case said his amendment was particularly timely in view of reports that the Joint Chiefs of Staff had advised Defense Secretary Melvin R. Laird that "to bring about a military solution in Cambodia," U.S. military aid would have to rise to more than \$300 million by 1977.

According to congressional sources, the Joint Chiefs advised Laird that the number of regular Cambodian troops—now at 180,000, a year ago—would have to jump to 300,000 by 1977 and paramilitary forces to 500,000 by then.

The reports said that the Joint Chiefs considered the \$211 million military assistance portion of the administration's total request for 1972 of \$351 million too small, and had devised plans for shifting \$52 million from other sources to the military aid program.

This was intended to boost the regular Cambodian army to 220,000 men by the end of the year and the "paramilitary" forces to 143,000. The reports said the JCS had devised various methods of transferring funds from one account to another or of using "excess" military equipment.

Case said his amendment closed all loopholes against any such shifts. Laird, at a press conference, neither confirmed nor denied the existence of the reported Joint Chiefs recommendations, but did say no aid for Cambodia beyond the \$341 million already requested would be sought this year.

Like an earlier Symington amendment to the military procurement bill limiting Laos aid to \$350 million, yesterday's Cambodia proviso covers only military and economic assistance and does not restrict spending for U.S. air missions flown over Cambodia.

Before the vote, Senate Majority Leader Mike Mansfield (D-Mont.) said in a floor speech that before the Sihanouk government was overthrown, Cambodia was "an oasis of order in war-torn Indochina." But now, because the United States had helped draw Cambodia into the war, "Cambodia is being reduced to chaos and devastation."

[From the New York Times, Oct. 14, 1971]

SENATE UNIT VOTES \$250-MILLION LIMIT ON CAMBODIAN AID

(By John W. Finney)

WASHINGTON.—The Senate Foreign Relations Committee voted today to impose a \$250-million ceiling on military and economic aid to the Cambodian Government in the current fiscal year.

The Administration has requested authority to spend \$341-million in Cambodia—about \$200-million in military aid and the remainder in economic assistance.

An amendment incorporated into the Foreign Aid Authorization Bill by the committee would also limit to 200 the number of American civilians and military personnel assigned to Cambodia.

ADMINISTRATION IS OPPOSED

The committee amendment, co-sponsored by Senator Stuart Symington, Democrat of Missouri, and Senator Clifford P. Case, Republican of New Jersey, was adopted by a 10-3 vote over the opposition of the Adminis-

tration, which warned that the limitations would undermine the Cambodian Government and endanger American troops as they are withdrawn from Vietnam.

In a letter to the committee, Under Secretary of State John N. Irwin said that the Administration's request was "the minimum which is essential to help Cambodians consolidate their independence."

The committee's action was prompted in part by the disclosure that the Joint Chiefs of Staff had recommended a longrange program that by 1977 would bring military aid to Cambodia to \$500-million, roughly double that now being spent.

The Joint Chiefs are reported to believe that increased military assistance to Cambodia is necessary to protect South Vietnam's western flank as American troops are withdrawn from Indochina. But to many members of the Senate committee, the proposal represents a growing American commitment to Cambodia similar to that set a decade ago in South Vietnam.

"ARMED CAMP" FORESEEN

Senator Symington, in an interview, expressed fear that the real intention of the Joint Chiefs of Staff was to "shore up" the borders of Thailand by establishing positions of strength in Cambodia and Laos "where we could remain indefinitely."

Senator Case, in a statement, said that the recommendations of the Joint Chiefs "would entirely destroy Cambodia's own economy and turn that country into an armed camp, altogether dependent on United States dollars, arms and food for its continued existence."

He emphasized that the limitation on spending was a "holding action" designed to force a full-scale review of future American policy in Cambodia and said:

"We should go no further in increasing our commitment to Cambodia, at least not without a firm decision by Congress and the American people that an expanded war in Cambodia is the course our country should follow."

In a statement on the Senate floor, Senator Mike Mansfield, the majority leader, said:

"The Cambodian experience is an admonition to curb the easy outflow of the financial resources of the people of this nation which, for years, has been legislated in the name of national defense and foreign aid."

"In the case of Cambodia, the hundreds of millions of dollars already spent in a year and a half have done hardly anything for the defense of this nation except, perhaps, to weaken it by wastage. Nor have these expenditures helped the Cambodian people, who have now been reduced to the common denominator of the irrelevant devastation which has been suffered in Laos and Vietnam."

Senator Mansfield protested that "the trend of present Cambodian policy, insofar as I can see, runs strongly counter not only to the expressed inclinations of the Congress but also to the Nixon doctrine which was supposed to provide the guidelines of that policy."

In the year and a half since the Government of Prince Sihanouk was overthrown and the United States conducted military operations against Communist sanctuaries in Cambodia, he said, Cambodia has become "the enemy sanctuary," the nation is "being reduced to chaos and devastation," and American support has become "the sole significant prop which keeps the political-military structure in Phnompenh from falling apart."

"I sometimes wonder," he said, "how we let ourselves get involved in these travesties of foreign policy which, rather than serve the interests of this nation, give every appearance of being at complete odds with those interests."