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porations, agencies and offices, for the fiscal year ending June 30, 1965, and for other purposes.

Mr. MORSE. Mr. President, I yield to the Senator from Washington [Mr. MAGNUSON], who I understand wishes to make a unanimous-consent request.

Mr. MAGNUSON. Mr. President, several Senators have asked me about the time situation. The Senator from Wisconsin [Mr. PROXMIER] has two more amendments pending. He has kindly consented to agree to a unanimous-consent agreement on time. I now request unanimous consent that the debate on the two remaining Proxmire amendments be limited to a half hour each, 15 minutes on a side.

The PRESIDING OFFICER. Is there objection?

Mr. MORSE. Mr. President, reserving the right to object, is it understood that the time limitation will go into effect at the conclusion of my remarks?

The PRESIDING OFFICER. At the completion of the remarks of the Senator from Oregon.

**TO PROMOTE THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY IN SOUTHEAST ASIA—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 333)**

Mr. HUMPHREY. Mr. President, did I correctly understand there is a message from the President of the United States at the desk?

The PRESIDING OFFICER. The Senator is correct.

Mr. HUMPHREY. I believe it is of sufficient importance, since it relates to a grave international situation, that it be read.

Mr. MORSE. I agree with the Senator.

The PRESIDING OFFICER. The message from the President of the United States will be read.

The legislative clerk read the message, as follows:

*To the Congress of the United States:*

Last night I announced to the American people that the North Vietnamese regime had conducted further deliberate attacks against U.S. naval vessels operating in international waters, and that I had therefore directed air action against gunboats and supporting facilities used in these hostile operations. This air action has now been carried out with substantial damage to the boats and facilities. Two U.S. aircraft were lost in the action.

After consultation with the leaders of both parties in the Congress, I further announced a decision to ask the Congress for a resolution expressing the unity and determination of the United States in supporting freedom and in protecting peace in southeast Asia.

These latest actions of the North Vietnamese regime have given a new and grave turn to the already serious situation in southeast Asia. Our commitments in that area are well known to the Congress. They were first made in 1954 by President Eisenhower. They were further defined in the Southeast Asia

Collective Defense Treaty approved by the Senate in February 1955.

This treaty with its accompanying protocol obligates the United States and other members to act in accordance with their constitutional processes to meet Communist aggression against any of the parties or protocol states.

Our policy in southeast Asia has been consistent and unchanged since 1954. I summarized it on June 2 in four simple propositions:

1. America keeps her word. Here as elsewhere, we must and shall honor our commitments.

2. The issue is the future of southeast Asia as a whole. A threat to any nation in that region is a threat to all, and a threat to us.

3. Our purpose is peace. We have no military, political, or territorial ambitions in the area.

4. This is not just a jungle war, but a struggle for freedom on every front of human activity. Our military and economic assistance to South Vietnam and Laos in particular has the purpose of helping these countries to repel aggression and strengthen their independence.

The threat to the free nations of southeast Asia has long been clear. The North Vietnamese regime has constantly sought to take over South Vietnam and Laos. This Communist regime has violated the Geneva accords for Vietnam. It has systematically conducted a campaign of subversion, which includes the direction, training, and supply of personnel and arms for the conduct of guerrilla warfare in South Vietnamese territory. In Laos, the North Vietnamese regime has maintained military forces, used Laotian territory for infiltration into South Vietnam, and most recently carried out combat operations—all in direct violation of the Geneva agreements of 1962.

In recent months, the actions of the North Vietnamese regime have become steadily more threatening. In May, following new acts of Communist aggression in Laos, the United States undertook reconnaissance flights over Laotian territory, at the request of the Government of Laos. These flights had the essential mission of determining the situation in territory where Communist forces were preventing inspection by the International Control Commission. When the Communists attacked these aircraft, I responded by furnishing escort fighters with instructions to fire when fired upon. Thus, these latest North Vietnamese attacks on our naval vessels are not the first direct attack on Armed Forces of the United States.

As President of the United States I have concluded that I should now ask the Congress, on its part, to join in affirming the national determination that all such attacks will be met, and that the United States will continue in its basic policy of assisting the free nations of the area to defend their freedom.

As I have repeatedly made clear, the United States intends no rashness, and seeks no wider war. We must make it clear to all that the United States is united in its determination to bring

about the end of Communist subversion and aggression in the area. We seek the full and effective restoration of the international agreements signed in Geneva in 1954, with respect to South Vietnam, and again at Geneva in 1962, with respect to Laos.

I recommend a resolution expressing the support of the Congress for all necessary action to protect our Armed Forces and to assist nations covered by the SEATO Treaty. At the same time, I assure the Congress that we shall continue readily to explore any avenues of political solution that will effectively guarantee the removal of Communist subversion and the preservation of the independence of the nations of the area.

The resolution could well be based upon similar resolutions enacted by the Congress in the past—to meet the threat to Formosa in 1955, to meet the threat to the Middle East in 1957, and to meet the threat in Cuba in 1962. It could state in the simplest terms the resolve and support of the Congress for action to deal appropriately with attacks against our Armed Forces and to defend freedom and preserve peace in southeast Asia in accordance with the obligations of the United States under the Southeast Asia Treaty. I urge the Congress to enact such a resolution promptly and thus to give convincing evidence to the aggressive Communist nations, and to the world as a whole, that our policy in southeast Asia will be carried forward—and that the peace and security of the area will be preserved.

The events of this week would in any event have made the passage of a congressional resolution essential. But there is an additional reason for doing so at a time when we are entering on 3 months of political campaigning. Hostile nations must understand that in such a period the United States will continue to protect its national interests, and that in these matters there is no division among us.

LYNDON B. JOHNSON.

THE WHITE HOUSE, August 5, 1964.

Mr. FULBRIGHT. Mr. President, I send to the desk a joint resolution on behalf of myself, the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Georgia [Mr. RUSSELL], and the Senator from Massachusetts [Mr. SALTONSTALL], and ask unanimous consent that it be referred to the Committee on Foreign Relations and the Committee on Armed Services, sitting jointly.

The PRESIDING OFFICER. Without objection, the joint resolution will be received and referred, as requested.

The joint resolution (S.J. Res. 189) to promote the maintenance of international peace and security in southeast Asia, was received, read twice by its title, and ordered to be referred to the Committees on Foreign Relations and Armed Services, jointly.

Mr. MORSE. Mr. President, I rise to speak in opposition to the joint resolution which has been introduced.

Mr. STENNIS. Mr. President, will the Senator yield to me so that I may request that the joint resolution be read?



Mr. MORSE. I shall be glad to have the joint resolution read.

Mr. STENNIS. Mr. President, may we have order? Will the Chair request the staff, and Senators also, to cease speaking, so that we may hear what is going on.

The PRESIDING OFFICER. The Senate will be in order. The resolution will be read.

The joint resolution (S.J. Res. 189) was read, as follows:

Whereas naval units of the Communists regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace;

Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom;

Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military or political ambitions in that area, but desires only that these peoples should be left in peace to work out their own destinies in their own way: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Congress approves and supports the determination of the President, as Commander-in-Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

Sec. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

Sec. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress.

Mr. MORSE. Mr. President, I rise to speak in opposition to the joint resolution. I do so with a very sad heart. But I consider the resolution, as I considered the resolution of 1955, known as the Formosa resolution, and the subsequent resolution, known as the Middle East resolution, to be naught but a resolution which embodies a predated declaration of war.

Article I, section 8 of our Constitution does not permit the President to make war at his discretion. Therefore I stand on this issue as I have stood before in the Senate, perfectly willing to take the judgment of history as to the merits of my cause. I note in passing that the warnings which the Senator from New York, Mr. Lehman, and the senior Senator from Oregon uttered in 1955 in opposition to the Formosa Resolution have been proved to be correct by history. I am satisfied that history will render a

final verdict in opposition to the joint resolution introduced today.

Mr. President, I shall not yield during the course of my speech, although I shall be very glad to yield to respond to questions afterward.

The senior Senator from Oregon has no illusions as to the reactions which will be aroused in some quarters in this Republic. However, I make the speech because it represents the convictions of my conscience and because I consider it essential to make it in keeping the sworn trust that I undertook when I came into this body on four different occasions and was sworn in as a Senator from the State of Oregon, pledging myself to uphold the Constitution.

I have one other remark by way of preface, not contained in the manuscript. I yield to no other Senator, or to anyone else in this country in my opposition to communism and all that communism stands for.

In our time a great struggle, which may very well be a deathlock struggle, is going on in the world between freedom on the one hand and the totalitarianism of communism on the other.

However, I am satisfied that that struggle can never be settled by war. I am satisfied that if the hope of anyone is that the struggle between freedom and communism can be settled by war, and that course is followed, both freedom and communism will lose, for there will be no victory in that war.

Because of our own deep interest in the struggle against communism, we in the United States are inclined to overlook some of the other struggles which are occupying others. We try to force every issue into the context of freedom versus communism. That is one of our great mistakes in Asia. There is much communism there, and much totalitarianism in other forms. We say we are opposing communism there, but that does not mean we are advancing freedom, because we are not.

Senators will note as I proceed in the presentation of my case in opposition to the resolution that I believe the only hope for the establishment of a permanent peace in the world is to practice our oft-repeated American professing that we believe in the substitution of the rule of law for the jungle law of military force as a means of settling disputes which threaten the peace of the world.

The difficulty with that professing or preaching by the United States is that the United States, like some Communist nations, does not practice it.

I wish to make one last introductory remark in the hope that more will understand the message of this speech, although we sometimes deplore the possibility of understanding on a subject matter that stirs so much emotion, so much feeling, and so much passion in the minds of so-called superpatriots, who seem to feel that if one raises any question or expresses any criticism of the policies of our country in the field of foreign policy, one's very patriotism is subject to question.

In the hope that there may be those who may wish to understand the basic tenet of the foreign policy philosophy of the senior Senator from Oregon, I

wish to repeat what some of my colleagues have heard me say before.

My foreign policy philosophy is based on a great teaching of a great teacher in this body, one who undoubtedly exercised more influence on me in the field of foreign policy than any other person; a great Republican, who became chairman of the Committee on Foreign Relations; who was one of the architects of the San Francisco Charter; who joined with Franklin Delano Roosevelt in the announcement of that great statement in the field of foreign policy, that politics should stop at the water's edge. I refer, of course, to the incomparable Arthur Vandenberg, of Michigan.

Senators within my hearing have heard me say before that I was deeply moved by that dramatic account of Arthur Vandenberg, in which he told, so many times, how he ceased being the leading isolationist in the Senate and became the leading internationalist. It was before the atomic bomb was finally perfected, but after it was known that the atomic bomb would be successful in its perfection.

Franklin Roosevelt called to the White House late one night the leaders of Congress, the leading scientists of the country, who were working on the bomb at that time, and the military leaders of our Defense Establishment who were still stationed in Washington. As Arthur Vandenberg used to say, "We were briefed, and the conference continued until the wee hours of the morning. The scientists convinced all that there was no question that the bomb would work. Then the discussion turned to the implications of this great discovery of science."

Senator Vandenberg used to say to us, "When I came out of the White House in the wee hours of that morning, I knew that while I had been in there that night, the world had so shrunk that there no longer was any place in American politics for an isolationist."

It was then that the great record of internationalism was begun to be made by the incomparable Vandenberg. I paraphrase him, but accurately, for my speech today rests upon this tenet, this unanswerable teaching of Vandenberg. This speech is my challenge today to the members of our Government and the people of my country to follow that teaching, for I do not believe that there is an implementation of any other teaching that can offer mankind any hope for peace. Unless mankind proceeds to adopt the procedures that will make possible permanent peace, both Western civilization and Communist civilization are headed for annihilation. In my judgment, we cannot find reputable scientists who will testify that either civilization could survive a nuclear war.

That tenet of Vandenberg's is as follows: There is no hope for permanent peace in the world until all the nations—not merely some, not merely those we like, not merely those we think are friendly—but until all the nations are willing to establish a system of international justice through law, to the procedures of which will be submitted each and every international dispute that

threatens the peace of the world, anywhere in the world, for final and binding determination, to be enforced by an international organization, such as the United Nations.

I am aware of all the criticisms of that tenet. But I have yet to hear a criticism that either destroys or weakens the tenet. One of the almost pro forma criticisms is that it is idealistic, it is impractical, unrealistic. The fact is that only ideals are practical. The only practicality we shall experience in the field of foreign policy or any other field of human behavior is an ideal put to work.

Vandenberg left us this great ideal. It will take years to implement it. But we must always move forward, not backward. We are moving in Asia today, but the movement of the United States in Asia is not in the direction of Vandenberg's principle.

It makes no difference who says that our objective is peace, even if he be the President of the United States. Our actions speak louder than words; and our actions in Asia today are the actions of warmaking.

As I speak on the floor of the Senate at this moment, the United States is making war in Asia.

I shall never give up, short of the actual passage of a declaration of war, my prayerful hope for peace and my prayerful hope that we will substitute the ideal of the rule of law through the only international organization that exists and that has any hope, in my judgment, of applying the rule—the United Nations.

#### ASIA POLICY IS CATCHING UP WITH US

Thus I say that the incident that has inspired the joint resolution we have just heard read is as much the doing of the United States as it is the doing of North Vietnam. For 10 years, the role of the United States in South Vietnam has been that of a provocateur, every bit as much as North Vietnam has been a provocateur. For 10 years, the United States, in South Vietnam, has violated the Geneva agreement of 1954. For 10 years, our military policies in South Vietnam have sought to impose a military solution upon a political and economic problem. For 10 years the Communist nations of that part of the world have also violated the Geneva accord of 1954.

Not only do two wrongs not make one right, but also I care not how many wrongs we add together, we still do not come out with a summation except a summation of wrong—never a right.

The American effort to impose by force of arms a government of our own choosing upon a segment of the old colony of Indochina has caught up with us.

Our violations of the Geneva accord have caught up with us. Our violations of the United Nations Charter have caught up with us.

Our failure to apply the provisions of the Southeast Asia Treaty have caught up with us. We have been making covert war in southeast Asia for some time, instead of seeking to keep the peace. It was inevitable and inexorable that sooner

or later we would have to engage in overt acts of war in pursuance of that policy, and we are now doing so.

There never was a time when it was possible for us to impose a government upon the people of South Vietnam without constant fighting to keep it in power. There never was a time when it would be possible to "bring the boys home by 1965,"—as was once promised—or on any other date. There never was a time when the war could be fought and won in South Vietnam alone, because the Khanh junta—and any of its successors and predecessors—could not survive without massive and direct American military backing that was possible only if the war were expanded.

So the war has at last been expanded—as the Senator from Alaska and I for the last 5 months, in speech after speech on the floor of the Senate, have forewarned was inevitable if we continued our course of action. That course of action, of unilateral military action on the part of the United States, is irreconcilable with our professions as to the application of the rule of law for the settlement of disputes which threaten the peace of the world or any region thereof.

Whether the choice of expanding it was that of North Vietnam or South Vietnam is still in doubt. But I am satisfied that the present rulers of South Vietnam could not long continue their civil war unless the war were expanded.

The United States is, of course, a full partner in the Government of South Vietnam. I am satisfied that ever since 1954, when the United States did not sign the Geneva accords but instead started down the road of unilateral military action in South Vietnam, we have become a provocateur of military conflict in southeast Asia and marched in the opposite direction from fulfilling our obligations under the United Nations Charter. I am satisfied, further, that officials of both the Pentagon and the State Department during those years have ill advised the White House in respect to what our course of action should be in southeast Asia from the standpoint of a sound foreign policy.

In recent months, evidence has been mounting that both the Pentagon and the State Department were preparing to escalate the war into North Vietnam. Many of the policies they have initiated and the statements they have made in public have been highly provocative of military conflict beyond the borders of South Vietnam.

When the high emotionalism of the present crisis has passed, and historians of the future will disclose some of the provocative things that have occurred, I have no doubt that they will disclose that for quite some time past, there have been violations of the North Vietnamese border and the Cambodian border by South Vietnam, as well as vice versa.

I am also satisfied that they will disclose that the United States was not an innocent bystander. We will not receive a verdict of innocence from the jury box of history on several counts.

Our extensive military aid to South Vietnam was a violation of the Geneva accords in the first instance. Our send-

ing troops into South Vietnam, even under the semantic camouflage of designation as military advisers, was a violation of the Geneva accords. In fact, both of those two counts were also a clear violation of the spirit and intent of the peaceful purposes of the United Nations Charter, itself.

Any violations of the borders of Cambodia and North Vietnam by the South Vietnamese were not conducted in a vacuum so far as U.S. assistance was concerned.

We assisted not only with materiel, but we advised on war plans, and our military presence in South Vietnam served as an ever-present strong back-stop to the South Vietnamese. I doubt if their military leaders acted at any time without the tacit approval of their American advisers.

#### TONKIN BAY INCIDENT PROVOKED BY SOUTH VIETNAM

In a very recent incident which was the forerunner to the attacks on American destroyers in the Tonkin Bay, it is known that South Vietnamese naval vessels bombarded two North Vietnamese islands within 3 to 5 or 6 miles of the main coast of North Vietnam. Of course, the national waters of North Vietnam extend, according to our international claims, 3 miles seaward from the eastern extremity of those islands and 12 miles seaward under national water boundary claims of North Vietnam. While the South Vietnamese vessels were attacking the North Vietnamese islands, the newspapers tell us that U.S. vessels of war were patrolling Tonkin Bay, presumably some 6 to 11 miles off the shore of North Vietnam.

Was the U.S. Navy standing guard while vessels of South Vietnam shelled North Vietnam? That is the clear implication of the incident.

In regard to international waters, a subject which is one of the highly disputed and still unsettled questions of international law, I believe that the position of the United States is the sounder position. I believe that the 3-mile limit has the better support under international law principles. But we have neighbors to the south of us in Latin America who do not accept that principle and insist on a 12-mile limit—in one instance, as I recall, a longer limit. Time and time again international incidents arise between the United States and Latin American countries, when American fishing boats get within the limits of the claimed national waters of our South American neighbors and are towed into port. Then begins the exchange of notes and conferences in an effort to have those men released.

The U.S. Government knew that the matter of national and international waters was a controversial issue in Tonkin Bay. The United States also knew that the South Vietnamese vessels planned to bomb, and did bomb, two North Vietnamese islands within 3 to 6 miles of the coast of North Vietnam. Yet, these war vessels of the United States were in the vicinity of that bombing, some miles removed.

Can anyone question that even their presence was a matter of great moral



value to South Vietnam? Or the propaganda value to the military totalitarian tyrant and despot who rules South Vietnam as an American puppet—General Khanh, who is really, when all is said and done, the leader whom we have put in charge of an American protectorate called South Vietnam?

It should be unnecessary to point out either to the Senate or to the American people what the position of the United States and its people would be if the tables were reversed and Soviet warships or submarines were to patrol 5 to 11 miles at sea while Cuban naval vessels bombarded Key West.

It is no accident or coincidence that today's press and radio reports tell of the rumors rife in Saigon yesterday of a coup against the Khanh regime, rumors which are said to have been quelled by the expansion of the fighting.

Today's New York Times carries on its front page a story headlined "Khanh, Warned of Plots, Seeks To Bolster Regime." It is written by Seymour Topping, and it says in part:

Once again, rumors of a coup d'etat were circulating in Saigon. There was no visible evidence that a coup against the Khanh government was imminent, but the currency of the rumors tended to undermine the authority of the regime and confidence in it.

U.S. officials believe another coup after that of January 30, which brought Premier Khanh to power, and that of last November 1, which brought down the regime of President Ngo Dinh Diem, would be seriously detrimental to the war against the Vietcong.

This story also relates the efforts by General Khanh to rouse support by carrying the war into North Vietnam, and the subsequent "lift" given his regime by the involvements of the Maddox with the North Vietnamese PT boats.

I ask unanimous consent to have the full story printed in the Record at this point.

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

**KHANH, WARNED OF PLOTS, SEEKS TO BOLSTER REGIME**

(By Seymour Topping)

SAIGON, SOUTH VIETNAM, August 4.—Premier Nguyen Khanh struggled today to strengthen the political stability of his government as his aids privately warned of plots to drive him from office. U.S. officials were concerned about the political deterioration in Saigon.

The malaise in the capital was attributed more to a clash of rival political and military personalities than to pressure from the Vietcong insurgents.

U.S. sources said reports from provinces indicated that conditions there were generally better than in Saigon.

Once again rumors of a coup d'etat were circulating in Saigon. There was no visible evidence that a coup against the Khanh government was imminent, but the currency of the rumors tended to undermine the authority of the regime and confidence in it.

**THREAT TO WAR IS SEEN**

Gen. Maxwell D. Taylor, the U.S. Ambassador, was informed of the rumors, which emanated in part from responsible Government sources.

U.S. officials believe another coup after that of January 30, which brought Premier Khanh to power, and that of last November 1, which brought down the regime of

President Ngo Dinh Diem, would be seriously detrimental to the war against the Vietcong.

General Khanh scheduled a Cabinet meeting for tomorrow during which he may deal with some of the reported threats to his administration. Vietnamese Government officials said General Khanh was considering a proposal to appoint military officers as deputy ministers to strengthen his authority.

Associates of General Khanh were privately accusing Dr. Nguyen Ton Hoan, leader of the nationalist Dai Viet party, of involvement in plans to force the Premier from office.

General Khanh brought Dr. Hoan to Saigon from Paris, where he had spent about a decade in exile, after the Premier had seized power. The Dai Viet leader is said to have been disappointed when he was not appointed Premier as expected, but was made one of three Vice Premiers and put in charge of the pacification program.

The Dai Viet, which has lacked a base of popular support, is reported to have been active recently in recruiting new members, especially army officers.

Some of Premier Khanh's supporters accused Dr. Hoan of having tried to recruit Maj. Gen. Tran Thien Khiem, the Minister of National Defense, who was instrumental in bringing the Premier to power.

#### OFFICERS LINKED TO PARTY

Reports reaching Western embassies here and well-informed Vietnamese sources also linked the Dai Viet to Gen. Nguyen Van Thieu, the Chief of Staff, and Col. Nguyen Van Ton, commander of the 7th Division.

General Khanh has relied on all officers named in the past and there was no certainty by independent observers, despite persistent reports, that any of them had become disaffected.

The Premier, who has come to look upon plotting by discontented politicians and military officers as a chronic expression of the unstable political situation in Saigon, has been devoting much of his time to dissolving political groupings directed against him.

General Khanh, bitter about his inability to muster Saigon politicians and some officers in the war effort, has recently hinted that he might forego the premiership.

The Premier has spoken of his desire to go to the United States. Ostensibly the visit would be to tell Americans more about South Vietnam's cause.

In a fit of frustration at one private Government meeting, the Premier is reported to have offered to turn over the office to Maj. Gen. Duong Van Minh, the chief of state, if he would pledge dynamic leadership in the war.

General Minh, leader of the military junta that was toppled in the coup last January, was retained as chief of state at the suggestion of the United States. He is said to have declined the offer.

The chief of state is a fairly popular figure, more so than General Khanh in some regions of the country. However, he has balked at throwing his full influence behind the younger officer who overthrew his government.

Political observers here view the demands made by General Khanh last month for a "march to the north" as an articulation of his political frustrations. The Premier, aware that his forces were too limited for such an operation against North Vietnam, apparently sounded the slogan in an effort to rouse nationalist support.

Last week Ambassador Taylor was instructed to inform Premier Khanh that his call for an extension of the war to the north was against present U.S. policy. Information about policy differences leaked to the press, embarrassing the Premier.

General Khanh protested for a time about his government's independence of action, but on Friday publicly modified his state-

ments to fit in with Washington policy. The retreat was noted by his political enemies.

General Khanh has been given a political lift by the attack made by North Vietnamese PT boats on the U.S. destroyer Maddox last Sunday. The general has pointed to the attack as vindication of his view that stronger measures are necessary to counter Communist aggression.

A spokesman for the Premier today welcomed President Johnson's decision to strengthen U.S. naval patrols in the Gulf of Tonkin, where the attack on the Maddox took place.

Mr. MORSE. These facts are as well known to the world as they are to officials of the U.S. Government. They mean that our charges of aggression against North Vietnam will be greeted by considerable snickering abroad.

So, too, will the pious phrases of the resolution about defending freedom in South Vietnam. There is no freedom in South Vietnam. I think even the American people know that to say we are defending freedom in South Vietnam is a travesty upon the word. We are defending General Khanh from being overthrown; that is all. We are defending a clique of military generals and their merchant friends who live well in Saigon, and who need a constantly increasing American military force to protect their privileged position.

Repetitious as these remarks may seem to those who have heard me speaking on Asian policy over the last 5 months, nevertheless, the facts of our obligations under international law, and the stupidity of our policy in southeast Asia remain the same. I am aware that my words will not be popular with many, and will be unacceptable to some. But the times demand wisdom more than they demand popularity.

If war is really too important to be left to the generals, then the American people are going to have to make themselves heard soon on U.S. policy in Asia. The only hope that remains for diplomatic action in our activities in the former Indochinese peninsula is the vague hope that a large enough military buildup and a forceful enough threat to expand the war will cause Red China and North Vietnam to retreat from Laos and to cease their support of the rebels in South Vietnam.

When this retreat and this cessation of support to the Vietcong has occurred then and only then, say our diplomatic spokesmen, might the United States consider a United Nations action in the area, or a new 14-power conference.

Such an American foreign policy is in direct violation of our international legal obligations, including our obligations under the United Nations Charter. What is worse, we have threatened war where no direct threat to American security is at stake. Many journalists who reflect this Government policy in their writings have resorted to fear arguments, seeking to create the impression that unless the United States uses its military might in South Vietnam and other parts of Asia, the security of the United States will be threatened and communism will run rampant over all of Asia. They are men of little faith in the strength of joint efforts of peaceful nations, who by

solemn treaty have bound themselves together to enforce the peace through the application of the procedures of international law. They would take the United States outside the framework of international law, and that is exactly where we are today, along with North Vietnam, Red China, South Vietnam, the Pathet Lao in Laos, and possibly others.

Likewise, there are many congressional politicians who would evade their responsibilities as to American foreign policy in Asia by use of the specious argument that "foreign policy is a matter for the executive branch of the Government. That branch has information no Congressman has access to." Of course, such an alibi for evading congressional responsibility in the field of foreign policy may be based on lack of understanding, or a convenient forgetting of our system of checks and balances that exists and should be exercised in the relationships between and among our three coordinate and coequal branches of government.

Granted that there are many in Congress who would prefer to pass the buck to the White House, the State Department, and the Pentagon Building in respect to our unilateral American military action in Asia. And this resolution gives them the vehicle. Nevertheless, I am satisfied that once the American people come to understand the facts involved in the ill-fated military operations in Asia, they will hold to an accounting those Members of Congress who abdicate their responsibilities in the field of foreign policy.

It is an elementary principle of constitutional law that the executive branch of government cannot spend taxpayers' money in the field of foreign policy, or for any other purpose except when the appropriations are passed by law.

Article I, section 9, of the Constitution reads:

No money shall be drawn from the Treasury but in consequence of appropriations made by law.

It is also elementary that before an appropriation law can be passed, an authorization bill approving of the policy requested by the President must be passed.

These legal requirements under our constitutional system give the Congress a check and voice in determining American foreign policy. Likewise, the Constitution in several other respects places checks upon the executive branch of Government in the field of foreign policy.

Under article I, section 8 of the Constitution, the power to declare war is vested in the Congress. No President has the legal authority under the Constitution to send American boys to their death on a battlefield in the absence of a declaration of war, and in the absence of a prior treaty commitment calling for that action in prescribed circumstances.

There has been a tendency in the historic debate that is taking place on United States-Asian policy for those who favor American unilateral military action in Asia to substitute the waving of the flag into tatters for a reasoned discussion of our international law obligations. Of course, that is no way to pay respect to the flag. If we are to go to

war in Asia we should at least stay within the provisions of the Constitution. But a war in Asia should be recognized as being unthinkable, and every effort within reason and honor should be made to avoid it. That is why I have urged that as a substitute for American unilateral military action in South Vietnam we should appeal to the SEATO organization, and to the United Nations, for joint action on the part of the members thereof, in accordance with the provisions of those two charters, in an endeavor to substitute a keeping of the peace, for the making of war in Asia.

#### ORIGINS OF PRESENT CONFLICT

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

Among the provisions of the 1954 accords was article 16:

With effect from the date of entry into force of the present agreement, the introduction into Vietnam of any troop reinforcements and additional military personnel is prohibited—

Except for rotation of personnel, meaning French, already there.

#### Article 17:

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

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

#### Article 18:

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

There is no way to escape the fact that for years the United States stood in violation of article 16, article 17, and article 18 of the Geneva accords of 1954, and yet we have the audacity to say to the world that we are helping South Vietnam because North Vietnam, and probably others, are violating the Geneva accords. I do not know what international jury box we could sell that argument to, for our duty and our obligation were, and our course of action should have been, to take to the United Nations our allegation of the violation of the Geneva accords. We should ask the United Nations to put into force and effect the procedures of international law encom-

passed in that charter, which we, along with all the other signatories thereto, committed ourselves and pledged ourselves to respect and obey.

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

The Independent Commission, consisting of Poland, India and Canada, found as early as 1956, that both North Vietnam and South Vietnam were in violation of the accords, and that the United States was in violation with them, because of the military aid that we have supplied in direct violation of the articles of the accord which I have previously read.

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

#### NO FREEDOM OR DEMOCRACY IN SOUTH VIETNAM

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

Viewed objectively, the conclusion cannot be escaped that in the decade following 1954, the United States for all practical purposes made a protectorate out of South Vietnam. Its new government immediately became financially dependent upon us; as rebellion against it grew, our level of aid was stepped up. By 1961, we had to send 15,000 American troops as "advisers" to the local military forces.

Do not forget the population figures we are dealing with in South Vietnam. There is a population in South Vietnam of approximately 15 million, and a South Vietnam military establishment of some 400,000 to 450,000 armed forces, pitted against South Vietnamese Vietcong. Undoubtedly they are South Vietnamese Communists, but they are South Vietnamese.

Mr. President, I have been briefed many times, as have the other members of the Foreign Relations Committee; and all this time witness after witness from the State Department and from the Pentagon have admitted under examination that they had no evidence of any foreign troops in South Vietnam from North Vietnam, Red China, Cambodia, or anywhere else.

The sad fact is that the only foreign troops that have been in South Vietnam in any numbers have been American troops. In the past couple of weeks, we have been told, but without specifications, that there is some reason to believe that there may be some congeries here and there of North Vietnamese—a captured soldier here and there who might



have come from North Vietnam. Mr. President, it has been admitted, by and large, that this has been a war between South Vietnamese Vietcong, who are Communist led, and the forces of the military government of South Vietnam.

Does anyone mean to tell me that with a population of 15 million, and military forces consisting of 400,000 to 450,000 South Vietnamese troops, of various types and various services, they are incapacitated, and that we must send American boys over there to die in what amounts basically to a civil war?

Mr. President, criticism has not prevented, and will not prevent me from saying that, in my judgment, we cannot justify the shedding of American blood in that kind of war in southeast Asia. France learned that lesson. France tried to fight it for 8 years, and with 240,000 casualties. The French people finally pulled down the French Government and said they had had enough.

I do not believe that any number of American conventional forces in South Vietnam, or in Asia generally, can win a war, if the test of winning a war is establishing peace. We can win military victories. We can kill millions of people, but not without losses of our own. Then, at the end of that blood march, we shall end with the same job to perform; namely, establishing peace, but in a war-ravaged world, if we survive.

Mr. President, the formula is archaic. The formula will no longer work. The nuclear age has outmoded war as an instrument for establishing and maintaining peace. The issues and problems of southeast Asia cannot be solved by military force.

That is why the senior Senator from Oregon pleads again that we return to the basic tenet of foreign policy which I cited at the beginning of this speech, taught to me by that great Republican, Arthur Vandenberg.

By 1961, we had sent 15,000 American troops as advisers to a South Vietnamese military establishment with 400,000 to 450,000 troops who seemed to be unable to defeat 25,000 to 35,000 Vietcong.

Let the record be clear—the maximum figure that any official of the executive department of government has ever given us in any briefing as to the numerical strength of the Vietcong is 35,000. More frequently it is said the number is probably nearer the neighborhood of 25,000.

Four hundred thousand to four hundred fifty thousand South Vietnamese military troops have been unable to defeat 25,000 to 35,000—to use their top figure—Vietcong.

We had to send in 15,000 American boys—at first—and we do not know with certainty how many were in the last allotment, but probably another 4,000 or 5,000 or more. And the way things are going over there today, the American people had better get ready for thousands more to be sent.

I view with great concern the danger that thousands of them will be bogged down in Asia for a long time to come. If that happens, there will be one place in the world where there will be no regrets, and that will be Moscow.

Mr. President, when the Diem government diverted itself from fighting rebels to fighting Buddhists, a coup by military proteges of the United States overthrew it. Within a few weeks, another coup replaced the Minh junta with what the American military advisers considered a more efficient military junta under General Khanh.

At no time has South Vietnam had a government of its own choosing. In fact, the Khanh junta justified its coup with the excuse that some Minh officers were pro-French, and might seek some way of neutralizing the country. What the people of South Vietnam, even those the government still controls, might want has never been given a passing thought.

Just how the present Khanh government differs from the old Bao Dai government which served as the French puppet, I have never been able to see.

Yet American leaders talk piously of "defending freedom" in South Vietnam. A Republican Member of the House of Representatives wrote me recently—and I quote from this letter:

So far as I can tell, the governments of North Vietnam and South Vietnam are just about Tweedledum and Tweedledee and neither the people nor the governments on either side would recognize democracy if they should meet it in broad daylight and on the main street of Saigon, their main interest being in another bowl of rice.

These were the origins of our present policy in Vietnam that has led us to talk openly of war with China, and now to overt warfare with North Vietnam. Many people are saying these days that getting into South Vietnam was a terrible mistake, but now that we are there, there is no point in looking back and rehashing the wisdom of it all. How wrong they are. Surely when a nation goes as far down the road toward war as we have, it must know why it is there, what objective it is seeking, and whether the objective sought could possibly be achieved by any other means.

We say that one of our objectives is the enforcement of the 1954 agreement, which we charge has been violated by North Vietnam and China. Why we believe we have a right to enforce by force of arms an international agreement to which we are not a party has never been explained.

Nor is it explained why the massive violations of articles 16, 17, and 18 which we have engaged in especially since 1961 are the only means of calling other violators to account.

In the case of Laos, we did sign the Geneva accord of 1962, which tried to neutralize that territory. Hence, we claim that the violations we have committed ourselves were only undertaken after North Vietnam had violated the accord first. Our violations have taken the form of sending armed planes flown by American pilots over Laos. The 1962 agreement permits military equipment to be brought into the country at the request of the Laotian Government, but it forbids "the introduction of foreign regular and irregular troops, foreign paramilitary formations and foreign military personnel into Laos."

In addition, we have sent at least five shiploads of military equipment to Thai-

land against the day when it becomes necessary to use American troops in Laos to halt the Pathet Lao.

Like the Communist neighbors who are helping the Pathet Lao, we are not enforcing the 1962 accord; we are only helping them to destroy it.

#### APPLICABLE SECTIONS OF UNITED NATIONS CHARTER

Most disturbing of all have been our violations of the United Nations Charter. If our signature on that Charter means anything at all, it requires us to observe article 2, section 4:

All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations.

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

#### Article 33 states:

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

Some of the peaceful means that have been advanced but brushed aside by the United States have been the 14-power conference advocated by France, and the introduction of a peace force from the Southeast Asia Treaty Organization.

#### Article 37 of the charter provides:

Should the parties to a dispute of the nature referred to in article 23 fail to settle it by the means indicated in that article, they shall refer it to the Security Council.

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

#### ALL ACTION IN SELF-DEFENSE MUST BE REPORTED TO U.N.

Even the self-defense article does not sanction what we are doing in the name of defense in South Vietnam. Article 51 states:

Nothing in the present charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

There is nothing permissive about that. That may not be used as a rationalization for the United States making war instead of joining in keeping the peace in South Vietnam.

It is commonly said both in and out of government that the United Nations is a waste of time and that the Communists understand nothing but force. However, the line continues, maybe at some future date we may find it to our interest to go to the U.N.

This supposedly sophisticated argument ignores several points.

First. It may not be left to us to decide whether the issue should go to the United Nations. Article 35 provides that "any member of the United Nations may bring any dispute, or any situation of the nature referred to in article 34, to the attention of the Security Council or of the General Assembly." The disputes referred to in article 34 are those which are likely to endanger the maintenance of international peace and security.

Cambodia dragged us before the United Nations, charging violations of her border. We apologized, and suggested a U.N. border patrol to guard against future violations. But we brazened it out so far as the Vietnam war was concerned, and served notice that we would do whatever we desired there, irrespective of the provisions of the charter.

How long we can proceed on this manner in Laos and Vietnam without being called to account at the United Nations is anyone's guess. But if we wait for another country to invoke article 35, we can be sure it will not be on grounds and under conditions most favorable to the United States.

Second. The very assumption by administration spokesmen that someday, sometime, somehow, and under some other circumstances, the United States will seek U.N. action is an admission that the issue is really one of U.N. jurisdiction. What they are saying is only that they do not think that to adhere now to the U.N. Charter would serve American interests. Their theory is that the time to negotiate is when we have first dominated the battlefield.

This amounts to saying that any treaty obligation that does not serve our national interest is just a scrap of paper. These officials take the view that we may one day resurrect the U.N. Charter from the wastebasket, but not until we think it serves our interests. Perhaps now that we can level a charge against North Vietnam, they think it serves our interest.

If that is to be our policy, then we are helping to destroy the United Nations, too, and all the advances in the rule of law in world affairs which it represents. Our moral position, which we claim as leader of the free world, will be undermined and our capacity for calling others to account for breaches of the peace will be seriously compromised.

Third. The "fight now, negotiate later" line is based on the wholly illusory assumption that Red China and North Vietnam will do what we refuse to do—negotiate when they are losing. Can we really expect that when China is faced with the same condition she was faced with in Korea, she will negotiate instead of pouring her hordes into the fray, as she did in Korea? Do we really think these two countries will go to the U.N. or to the bargaining table when the war goes against them, although we refused to do so under the same circumstances? One might as well ask whether the United States would have done so in October of 1962 had the Soviet Union come to dominate the Caribbean.

As I have said in several speeches, and repeat now, we had better face the realization of the desperado that we are dealing with in Red China. This despicable Communist leader has demonstrated time and time again, as was demonstrated in the Korean war, that he places no value on human life. Only in the past 2 or 3 years headlines blazed forth the statement that the Communist leader of Red China has said in effect that in case of war with Western imperialism they could sacrifice 400 million people and have a stronger China at the end.

I know of no reason that should justify anyone engaging in the wishful thinking or in the head-in-the-sand attitude that if we kill enough and bomb enough, North Vietnam and Red China will yield.

We need the world with us. By that I mean we need with us the nations of the world which believe in the resort to the rule of law in the settlement of disputes.

We shall not take these nations with us if we follow a unilateral military course of action in Asia that may result in the despicable Communist Chinese leader starting to send his hordes of human bodies against American military force.

I reject the premise, which I believe is clearly imbedded in the joint resolution which was introduced in the Senate today: "Fight now and negotiate later."

That is risky business. It would jeopardize the continuation of existing procedures for the peaceful settlement through negotiations of disputes which threaten the peace of the world.

A nation does not have to commit the first violation in order to be in violation of the Geneva Accords. And it does not have to commit aggression in order to be in violation of the United Nations Charter.

We have violated these accords and the U.N. Charter time and time again. We are pursuing neither law nor peace in southeast Asia. We are not even pursuing freedom. We are maintaining a military dictatorship over the people of South Vietnam, headed by an American puppet to whom we give the orders, and who moves only under our orders.

Whoever fights a war without taking the matter to the United Nations is in violation of the charter, whether that party started the fighting or not. We cannot hide behind the alibi that others violated these agreements first, although they did. To the contrary, it makes it more important that we lay the charges before the United Nations, or to a 14-nation conference, or seek to bring SEATO in to exercise peacekeeping policies until the U.N. can take jurisdiction.

#### FOLLY OF WAR IN ASIA

All the foregoing is important to the United States, but none of it is as important as the folly of our getting involved in a war in Asia, irrespective of legal or moral obligations. No American spokesman has ever given the American people a single reason why an American war on the Chinese mainland would be justified.

The day of the westerner is finished in Asia, just as much as in Africa. And it no longer matters whether the westerner is French, Dutch, British, or American. The pressure will always be against us and against our front in South Vietnam.

That is why the pious apologies for our present policy which deplore expansion of the war into North Vietnam or China, but insist that we cannot leave under pressure, have been so futile.

There will never be anything but pressure against us there so long as the local government is dependent upon us for its existence. There is no reason to think the rebellion against Khanh will ever die out. Although it may recede somewhat in the face of our overwhelming military might, it will rebound whenever we try to reduce the level of American participation.

Our best prospect for us in South Vietnam was for stalemate; but the longer the stalemate continued, the more inevitable it was the war would be escalated. And it has been escalated, and how much further it will be escalated no one can say.

The public statements by Secretary McNamara, Secretary Rusk, Admiral Felt, and General Harkins required that the United States expand the war if the Communist-led forces did not retreat from their gains in Laos and Vietnam, and American forces from nearby bases in the Philippines and Okinawa have been poised for air attacks in Laos and North Vietnam and for the entry of ground forces through Thailand into Laos.

In my opinion, our leaders counted on bluffing Communist China; but she was not bluffed in Korea when the whole United Nations was with us, and this time we have not one single ally. The faltering General Khanh has arranged for us to carry out those threats so far as North Vietnam is concerned. We may find that someone else will arrange for us to carry them out against China, too. If that time comes, we will have no choice but to resort to nuclear weapons with all the hideous consequences that entails.

Yet, the fact remains that nothing we set out to do in 1954 justifies what we are doing today, much less what we are threatening to do. We set out in 1954 to put Humpty-Dumpty back together again when we tried to establish an American foothold in southeast Asia out of the destruction of European colonialism.

Five and one half billion dollars worth of aid to South Vietnam, 18,000 American "advisers," and now the threat of war with China has not put Humpty-Dumpty back together—and never will. Out of this \$5½ billion, \$1¼ billion went to France to help her in the Indochina war prior to her withdrawing in 1954. Today we are spending better than \$1½ million per day and will reach \$2 million shortly, just as aid to Vietnam, not covering the cost of our own military force in southeast Asia. Unless the American people make their voices heard very soon, they are going to spend even more in this fruitless and unavailing task.



What this war in the last 36 hours has cost the American taxpayers and how much it will amount to as that war continues defies imagination.

HOPE FOR PEACE LIES WITH OTHER MEMBERS OF UNITED NATIONS

The stark reality is that North and South Vietnam, China, and the United States are in this hour endangering the peace of the world. We have said we will make charges against North Vietnam before the United Nations Security Council.

Why in the world we did not make those charges against North Vietnam several years ago, I shall never understand. We are going to make charges now because we are in open conflict with North Vietnam. But we have had evidence for years that North Vietnam was undoubtedly a violator of the Geneva Accords of 1954. But instead of taking our charges and our proof to the United Nations, we sent 15,000 military personnel to South Vietnam to engage in unilateral military action in South Vietnam, in violation of three articles of the Geneva Accord that I have already cited in this speech, and have violated, time and time again, article after article of the United Nations Charter. That is our sorry record.

What about the infiltration of North Vietnamese into South Vietnam to advise the Vietcong?

What about the 21,000 American troops in South Vietnam advising the Government?

What about the American air attack on North Vietnam naval bases?

What about the shelling of the islands in Tonkin Bay by South Vietnamese vessels? These were all clear acts of war.

Why is not Ambassador Stevenson going to lay these incidents, too, before the Security Council?

The best hope for peace would seem to be that the noncombatant members of the United Nations will see to it that all of the provocative activities in the Indochina peninsula are brought before the Security Council or the General Assembly of the United Nations, in accordance with the procedures of the Charter. They should invoke all—I repeat: all—the applicable provisions of the United Nations Charter irrespective of which country initiates charges or must be called to account.

They should call upon South Vietnam, North Vietnam, Laos, Cambodia, China, and the United States to stop their fighting and proceed to the conference table, where there can be applied the rules of reason rather than the fortunes of war for the settlement of the conflict.

These U.N. members not involved in this conflict must face up to one of the great challenges in all history. If they do not, they will see the United Nations Charter consumed as a casualty in the war flames of the struggle. They must enforce the Charter against all who are fighting in Asia. That is the issue—the issue of peace or war—that is facing them as well as us.

I close by pleading that my country, and its people, not forsake the moral principles and values which cry out to be saved in this hour. I plead with them not to commit themselves to a unilateral

war in Asia for purposes which many of their own political leaders were ill advised in the first place. There is still no answer to the Biblical injunction:

He shall judge among many people and rebuke strong nations afar off; and they shall beat their swords into plowshares, and their spears into pruning hooks.

The United States has everything to gain and little to lose by seeking to implement that teaching at an international conference table.

The United States has much to lose and little to gain by continuing our unilateral military action in southeast Asia, unsanctioned by the United Nations and unaccompanied by allies.

No nation in history has had such a great opportunity as this one now has to strike a blow for peace at an international conference table.

I shall not support any substitute which takes the form of a predated declaration of war. In my judgment, that is what the pending joint resolution is.

I shall not support any delegation of the duty of Congress—of Congress, not the President—to determine an issue of war or peace.

I shall not support any substitute which takes the form of military action to expand the war or that encourages our puppets in Saigon to expand the war.

Adherence to the United Nations Charter is the only policy that affords the hope of leading the American people out of this jam without a war. I shall continue to plead for such a policy as long as time remains.

If war overtakes us first, then we will have no choice but to unite behind its prosecution.

But, first, that calls for a declaration of war and not a resolution that seeks to authorize the President to make war without our declaring war. That was the position I took in 1955; and I incorporate by reference every argument I used in opposition to a preventive war resolution of that date.

But I see no more chance of conventional military victory in North Vietnam and China than in South Vietnam, and I therefore plead that the SEATO treaty and the United Nations Charter, rather than solitary force of arms, guide our actions in southeast Asia.

I am convinced that a continuation of the U.S. unilateral military action in southeast Asia, which has now taken on the aspects of open aggressive fighting, endangers the peace of the world.

Mr. President, in yielding the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BAYH in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### INDEPENDENT OFFICES APPROPRIATIONS, 1965

The Senate resumed the consideration of the bill (H.R. 11295) making appro-

priations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1965, and for other purposes.

The PRESIDING OFFICER. Under the unanimous-consent agreement previously agreed to, the two amendments will be granted 30 minutes, 15 minutes to a side.

Mr. PROXMIRE. Mr. President, I call up my amendment No. 1172 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection it is so ordered; and the amendment will be printed in the Record at this point.

The amendment (No. 1172) submitted by Mr. PROXMIRE is as follows:

On page 47, line 4, strike out "\$4,413,594,000" and insert "\$4,313,594,000".

Mr. PROXMIRE. Mr. President, I modify the amendment so as to read:

On page 47, line 4, strike out "\$4,413,594,000" and insert "\$4,345,000,000".

On page 47, line 9, strike out "\$262,880,500" and insert "\$245,000,000".

On page 42, line 23, strike out "\$623,525,500" and insert "\$610,000,000".

The PRESIDING OFFICER. The amendment is modified accordingly.

Mr. PROXMIRE. I will explain the modification as I go along.

There are many arguments against proceeding rapidly with the space program. I shall not make those arguments.

We know about the limited scientific manpower available in this country. It is one of our most precious assets.

I have felt for a long time that we should make a study of the availability of scientific manpower where it can be allocated in wholesale lots, as has been done in the space program, at the expense of defense and at the expense of industry itself.

Mr. CLARK. Mr. President, will the Senator from Wisconsin yield at that point?

Mr. PROXMIRE. I yield.

Mr. CLARK. While the study conducted on scientific manpower by the Subcommittee on Manpower Employment of the Committee on Labor and Public Welfare, of which subcommittee I am chairman, was not in so great a depth as one might desire, if we are thinking only in terms of the study of scientific manpower. That study, the results of which have been made public, makes it clear that scientific manpower is almost desperately in short supply in a number of areas in the country, and that the prognosis for remedying that short supply is a most pessimistic one. It seems reasonably clear that for at least another 5 or 10 years we shall not have anything like enough trained scientific manpower to take care of all the legitimate needs of the economy, private as well as public. It shows, further, that an undue percentage of our scientific manpower is now completely under the control of the Government in connection

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ments of the Senate to the bill (H.R. 8611) to facilitate the performance of medical research and development within the Veterans' Administration, by providing for the indemnification of contractors.

#### MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY IN SOUTH-EAST ASIA

Mr. MANSFIELD. Mr. President, I ask that the Vietnam resolution be laid before the Senate. It has been cleared with the chairmen of the Committee on Foreign Relations and the Committee on Armed Services, with the ranking members of those committees, with the distinguished minority leader (Mr. DIRKSEN), and with the distinguished senior Senator from Oregon (Mr. MOASZ), who is interested in the subject.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the joint resolution (S.J. Res. 189) to promote the maintenance of international peace and security in southeast Asia.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Mr. President, is it agreed that a vote on the treaty with Belgium will be had at 2 o'clock?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Mr. President, is it further understood that it is the intention to call up the so-called Vietnam resolution following the vote on the treaty?

Mr. MANSFIELD. Mr. President, I wish to make a few remarks on the Vietnam resolution.

The President has acted against repeated Communist provocations in the Tonkin Gulf. He has acted in the hope of preventing an expansion of the conflict in Asia, in the hope of minimizing the American involvement on that continent.

He has weighted the degree of military response to the degree of military provocation. He has taken military steps for legitimate defense and, at the same time, he has brought the matter to the conference tables of the United Nations, as a matter of urgency in connection with the maintenance of world peace.

He has counseled with the congressional leadership, the relevant committee chairmen and ranking minority members and the Republican candidate for President. Two nights ago he informed the entire Nation of his action.

The President, in short, has acted with a cool head and a steady hand in a most critical situation. He has acted as the leader of a great free nation, fully aware of a great nation's responsibilities to itself, to freedom, and to the peace of the world.

Let no man make light of what has been done in the past 72 hours. What

has been done is no automatic or certain solution to the difficulties. A reasoned approach to this situation on our part is no assurance that others will have the same capacity. Our own restraint is no guarantee of the restraint of others. Our wish for peace is not necessarily the wish of others.

But the President has acted in the hope of restraining the dogs of war. It remains to be seen, now, whether others will act in the same fashion. Escalators go up as well as down and, in this instance, our hand is not the only hand on the control. We hope for the best. But let us also be prepared for the worst. The situation may well become more critical—far more critical—before its resolution becomes visible.

One would hope that those who have acted with provocation will now cease so to act. One would hope that the United Nations will be helpful. One would hope that those nations deeply concerned but not directly involved in Indochina will redouble their efforts to find a peaceful solution to all of the difficulties which have beset the peninsula for almost two decades and ourselves for 10 years.

But those are matters which are not in our own hands alone. For us, it is sufficient at this time to know that the President has set a course for the best interests of the Nation, for Democrats and Republicans alike, for the Government and people of the United States. He asks for and he will have, in this endeavor, the support of the Congress and the people of the United States. Let there be no doubt of that in any nation in Asia or in any part of the world. What needs to be done to defend ourselves will be done. What can be done by us to give human freedom a chance in southeast Asia will be done. It will be done not alone by the President. It will be done not alone by the armed services which he commands. It will be done not alone by Democrats or by Republicans. It will be done by an entire Nation united in their trust and in their support of the President of the United States.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to correct the text of the resolution. There was a technical mistake, an omission on line 10, page 2, as follows, following the words "consonant with the Constitution," the words "of the United States" were inadvertently left out. It is perfectly obvious that it was the Constitution of the United States that was being referred to. I ask unanimous consent that it be corrected.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. FULBRIGHT. Mr. President, pursuant to the order of the Senate on yesterday, the Committee on Armed Forces, headed by the distinguished Senator from Georgia (Mr. RUSSALL), and the Committee on Foreign Relations met jointly this morning to take testimony on Senate Joint Resolution 189.

Mr. President, I recommend the prompt and overwhelming endorsement of the resolution now before the Senate. The resolution, which has been approved by the Committees on Foreign Relations and Armed Services with only one dis-

senting vote, endorses the wise and necessary action of President Johnson in ordering the 7th fleet and its air units to take appropriate measures in response to the unprovoked attacks on American naval vessels by North Vietnamese torpedo boats. The resolution further expresses the approval and support of the Congress for the determination of the President to take such action as may be necessary, now and in the future, to restrain or repel Communist aggression in southeast Asia.

The action taken by the United States in retaliation for the North Vietnamese torpedo boat attacks must be understood both in terms of the immediate situation and in terms of the broader pattern of Communist military and subversive activities in southeast Asia over the past 10 years. On both levels the North Vietnamese regime is patently guilty of military aggression and demonstrably in contempt of international law.

As stated in the report of the joint committee on the resolution:

The North Vietnamese campaign against the South has increased in scope and tempo. It has added a new dimension to traditional concepts of warfare and aggression—the dimension of subversion and terror on a planned, centrally directed, and coordinated basis. This new kind of aggression is not symbolized by armies marching across frontiers with bands playing and flags waving. But it is no less outrageous international behavior.

The facts of the immediate situation are clear. On August 2 the U.S. destroyer *Maddox* was attacked without provocation by North Vietnamese torpedo boats in international waters in the Gulf of Tonkin. The American vessel, with the support of aircraft from the U.S.S. *Ticonderoga*, fired back in self-defense and drove off the attackers. The United States thereupon warned the Hanoi regime of "grave consequences" in the event of further military attacks on American forces. On August 4 the *Maddox* and another destroyer, the *C. Turner Joy*, were again attacked by North Vietnamese torpedo boats in international waters. The attack, which lasted for over 2 hours, was without any doubt a calculated act of military aggression. The United States thereupon responded with air strikes against North Vietnamese torpedo boats and their supporting facilities at various points on the coast of North Vietnam.

The American action was limited and measured in proportion to the provocation which gave rise to it. It was an act of self-defense wholly consistent with article 51 of the United Nations Charter and an act of limited retaliation wholly consistent with the international law of reprisal. The single, most notable fact about the American action was its great restraint as an act of retaliation taken by a great power in response to the provocation of a small power.

The action taken by the United States was appropriate as policy as well as justified in law. An act of unambiguous aggression cannot be tolerated or ignored without inviting further provocations, especially when the act is committed by a regime which has been engaged in con-

sistent and repeated aggression against its neighbor states.

Has the attacks on the *Maddox* and the *C. Turner Joy* been isolated occurrences it might have been appropriate to respond by a lesser act of force than that employed, or even by measures short of force. This, however, is not the case. The North Vietnamese regime has made an international career of aggression almost since its inception in 1954. Certainly supported and quite possibly incited by Communist China, North Vietnam has persistently engaged in subversion and more direct hostilities against the duly constituted governments of both Laos and South Vietnam. It has done these things in gross violation of the Geneva Agreement of 1954 and of the Geneva Agreement of 1962 pertaining to Laos. It has done these things in violation of international law, in contempt of the United Nations Charter, in malice toward its neighbors, and in reckless disregard of the requirements of peace in southeast Asia.

Under these circumstances, it was incumbent upon the United States to act, as it did, in a manner proportionate to the provocation. Viewed in the context of the immediate provocation, the retaliatory measures taken by the United States were necessary and justified. Viewed in the context of a decade of reckless and irresponsible behavior on the part of the North Vietnamese regime, the action taken by the United States was the minimum consistent with its own vital interests and with its obligations to its allies and partners in southeast Asia.

The situation in southeast Asia illustrates an extremely important principle of foreign policy—that the challenges which confront us in the world are widely varying in character and intensity and must be dealt with accordingly by a wide variety of instruments and policies. Just as it is a mistake to assert that force is the only proper response to every challenge of Communist power, it is no less a mistake to assert that military action is never a necessary instrument of policy. Whatever the outcome of the present crisis in southeast Asia, it is important for us to refrain from making sweeping generalizations as to both the provocation and our response to it. Special combinations of circumstances suggest special patterns of response, which may or may not be valid in different situations.

The point which I wish to make is that while we must be consistent in the objectives of our foreign policy, we must be flexible in the instruments we use to attain them. We must bear in mind that military force is not an end but an instrument, a dangerous and repugnant one which is never desirable but sometimes essential. It is equally unwise to assume that force must never be used and to assume that its successful use in one instance warrants its use in any or all others.

The current crisis in southeast Asia, I believe, is one in which the use of limited American force has been necessary and may be necessary again. It is essential, however, that we evaluate this

crisis in its global context. That context is one in which hopeful tendencies toward peace are on the rise despite events in crisis areas such as Vietnam. It would be a great mistake to allow our optimism about promising developments in our relations with the Soviet Union and Eastern Europe to lead us to any illusions about the aggressive designs of North Vietnam and its Chinese Communist sponsor. It would be no less a mistake to allow our concern with baleful events in southeast Asia to drive us to actions and attitudes which would undermine current progress toward the relaxation of tensions with the Soviet Union and the European Communist regimes. At all times, but especially at this moment of crisis, we must be extremely clear about the different policies pursued by different Communist regimes, about the different challenges which they pose and the different responses which they warrant. We must have the wisdom and the discrimination to be able, when necessary, to engage simultaneously in the local prosecution of hostilities and the global pursuit of world peace.

In southeast Asia itself, we must leave no doubt in the minds of both adversaries and friends as to what our objectives are and what they are not. It should be clear to all concerned that our purpose is to uphold and strengthen the Geneva Agreements of 1954 and 1962—that is to say, to establish viable, independent states in Indochina and elsewhere in southeast Asia, states which will be free of and secure from the domination of Communist China and Communist North Vietnam. It should be emphasized that we wish the nations of southeast Asia to be free of and secure from domination by Peiping and Hanoi, but not necessarily hostile to these regimes. It should be further emphasized to all concerned that our objective is not to establish our own military power in Indochina or in any way to bring the nations of Indochina under our own domination or even to bring them into an American "sphere of influence."

It should be made clear to the Communist powers of Asia, if it is not yet sufficiently clear, that they can enjoy peace and security as long—but only as long as they confine their ambitions within their own frontiers. It should also be made clear that whenever the Communist powers show a willingness to settle the problems of southeast Asia by peaceful and lawful means, these problems can then be placed largely or entirely under the jurisdiction of the United Nations. It should be made equally clear to these regimes, if it is not yet sufficiently clear, that their aggressive and expansionist ambitions, wherever advanced, will meet precisely that degree of American opposition which is necessary to frustrate them. The resolution now before the Senate is designed to shatter whatever illusions our adversaries may harbor about the determination of the United States to act promptly and vigorously against aggression. For this reason, Mr. President, I urge its prompt and overwhelming adoption by the Senate.

Mr. President, in addition to the strong support of the Congress, there have been expressions of widespread support for the President's action in the country and in the press. I ask unanimous consent that there be inserted in the Record at this point a number of newspaper editorials which are illustrative of the general support for President Johnson's actions in southeast Asia.

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

[From the Philadelphia Inquirer, Aug. 6, 1964]

#### A NATION UNITED

In this grim, dark hour—when the issue of peace or war hangs precariously in the balance—President Johnson has called upon the American people to meet the test of courage and determination that has been thrust suddenly and irrevocably upon us all by a treacherous foe.

The Nation must stand firm and united in unwavering support of the President at this crucial juncture in the history of mankind.

We are confident that Americans, irrespective of political party, shall do so—in keeping with the highest traditions of this country in times of crisis.

In his solemn address to the world on Wednesday, at Syracuse, Mr. Johnson reiterated and expanded upon points he made late Tuesday night in his report on the swift succession of ominous events in southeast Asia.

The President is right, beyond any question, in making it clear to the leaders of Communist North Vietnam, and to any other government bent on unprovoked aggression, that America's earnest desire for peace is not to be misconstrued as weakness.

Delivering one of the finest addresses of his long career in public service, Mr. Johnson summed up the situation succinctly at Syracuse in these terse phrases: "The attacks were deliberate. The attacks were unprovoked. The attacks have been answered."

After the North Vietnamese torpedo boats had opened fire against U.S. naval craft in international waters, for the second time in 3 days, it was unmistakably clear that the American reply, in action as well as words, needed to be prompt and appropriately forceful—commensurate with the seriousness of the North Vietnamese challenge and the flagrant disregard they showed for the rights of our vessels to sail the seas without interference.

These rights have been hard won, over many years, by valiant Americans. Freedom of movement on the oceans must be defended.

Retaliatory U.S. air strikes against North Vietnamese torpedo boat bases and other installations, as reported by Defense Secretary McNamara, unfortunately have resulted in the loss of American planes and, possibly, American lives. This sorrowful and tragic development underlines not only the perils that must be faced in the battle zone but the sacrifices that all of us must be prepared to accept.

"Aggression unchallenged is aggression unleashed," the President said at Syracuse. This is undeniable truth. To retreat from, or even to tolerate, armed attack against vessels of the U.S. Navy would be to invite steadily bolder assaults that would lead us surely and inevitably down the path of war.

Mr. Johnson's notation of broken promises made by the North Vietnamese Government, in pacts signed by them in 1954 and 1962, is a timely reminder of the demonstrated untrustworthiness of the Red regime in Hanoi. It is fitting also that the President, while reaffirming this country's commitments to allies, has reminded those



allies that the fight for freedom ought not to be the sole burden of any one nation but should be a collective responsibility. Our allies—in NATO, in the Far East, and elsewhere—can help the cause of peace by giving unqualified endorsement to U.S. action against North Vietnam.

Freedom and peace remain our goals—but let those forces of enslavement and armed aggression abroad who have unleashed their fire against us give pause. They will do well to show a healthy respect for America's resolve to defend, by whatever means necessary, our rights on the high seas and to carry out, by whatever action required, our obligations abroad in the struggle against Communist aggression.

[From the Washington Post, Aug. 6, 1964]

#### STERN CRISIS

President Johnson has earned the gratitude of the free world as well as of the Nation for his careful and effective handling of the Vietnam crisis. The paramount need was to show the North Vietnamese aggressors their self-defeating folly in ignoring an unequivocal American warning and again attacking the American Navy on the high seas. This Mr. Johnson did by means of a severe but measured response deftly fitted to the aggression: retaliation against the boats and bases used in the attack.

The air strikes did not merely decimate Hanoi's fleet, leaving it unable to defend its own coast, and demonstrate North Vietnam's vulnerability to American power. The counterattack smashed the "paper tiger" myth, proving the U.S. readiness to use whatever means necessary to stand up for its interests in the Far East and underlining the reliability of its commitment to its friends there.

Most immediately, the reprisal rendered obsolete the old terms of the debate on whether to carry the guerrilla war in South Vietnam back to the aggressors in the North. Long reluctant to do this itself on the ground, or to have Saigon forces do it, the United States has now acted alone, by sea and air. Whatever restraint had previously been exercised through lack of precedent or provocation has been removed by the events in the Tonkin Gulf. No one can tell at this point the precise form which the Vietnam war will take, but it is bound to be a new form, and the newness would seem inevitably to be on the side of more direct American participation and more direct action against the North.

To a capital and a world sensitive to the uses of power by an American President, the crisis—the first major foreign-policy crisis faced by President Johnson—has found him not wanting in toughness or in nuance. But the crisis has also pointed up the office of the Presidency as the single center of control and responsibility for American power. It is worth remarking that this respect for the Presidency has been conveyed even by those who believe that, for instance, local military commanders should be given discretion for important decisions in the field.

Military measures were only a part of President Johnson's response. He coordinated them with the other constituencies and communities of which he is the leader. He asked and got from Senator GOLDWATER a promise of nonpartisanship. The Senator, like the patriot he is, instantly forsook politics and stood by his side. He also went, calmly, to the people, both American and foreign, offering information and reassurance in appropriate degrees.

The President went to Congress too for a resolution of national unity and support, and to the United Nations for international backing. The request to Congress, like his approach to Senator GOLDWATER, may later affect the election campaign, but the seriousness of the situation warrants these expressions of confidence and cooperation. The

U.N. plea forces the Soviet Union to a climactic choice between its conflicting interests in the Communist and Western worlds. But regardless of the Security Council's stance on the torpedo attacks, a condign response has already been meted out to Hanoi.

The impressive orchestration of American policies contrasts revealingly with the fragmented and tardy reactions of the different Communist states. This broken pattern, including the fact that Premier Khrushchev was out in the Soviet hinterlands, suggests how unexpected Hanoi's attacks were to some Communists and how unexpected Washington's reprisals were to others. There is still no convincing explanation of why Hanoi would challenge the United States under conditions so patently unfavorable to it. One notes, however, that there is in Hanoi a war weariness conducive to desperate heroics; that Hanoi has seemed to share Peiping's distorted vision of the American "paper tiger"; and that the Tuesday attack fell on the anniversary of the test ban, a Soviet-American agreement based on the fact that the "paper tiger" has nuclear teeth.

This element of uncertainty in Hanoi's intentions is what makes the crisis potentially dangerous. The fear is, of course, that Hanoi's harassments may be a prelude to escalation of the war in Vietnam, perhaps drawing in Peiping. It was the President's awareness of these ominous possibilities that made his management of the crisis so significant and correct.

[From the New York Herald Tribune, Aug. 6, 1964]

#### THE RIGHT RESPONSE

President Johnson spoke clearly and acted with prompt decision in reply to the second torpedo boat attack on American ships in the Tonkin Gulf. The reasons behind the wanton North Vietnamese provocations are still mysterious, but there is nothing obscure about Mr. Johnson's firm statement that "there can be no peace by aggression and no immunity from reply"—especially against the background of the sharp and effective American air assault on the North Vietnamese naval bases.

The United States has a chain of sentries around the world; lonely men in Korean trenches, lonely planes over the Arctic wastes, lonely ships in distant seas. They keep watch over an uncertain peace. But their vigil would have no meaning if it were not that power stands leashed behind them; power ready to be used swiftly and with vigor for peace. That power, and the equally essential will to use it, found expression in the action ordered by President Johnson against North Vietnam.

The power was still on leash. The air action against the aggressor's bases was a limited action. And in that fact, no less than in the speed and efficiency of the response, lies much of the effectiveness of the policy put into effect by the President. As he said, the overall strength of the United States is "vast and awesome." But it is not a monolithic mass, like the European armies before World War I, impossible to guide or check by diplomacy once the initial impetus is given. It is not just "the button," whose rejoiner must be nuclear war or supineness. It can be used to pinpoint and punish the immediate offenders—in this case, the North Vietnamese mosquito fleet.

Thus, whoever planned the torpedo-boat attacks, for whatever purpose, stand warned. If they were probing the intentions of the United States, of Red China, of the Soviet Union, they at least know that the United States will resist aggression, and that it has the capability of doing so.

At the same time, the rest of the world knows that this capability will be used with restraint; that force will be used in propor-

tion to the need. The United States can, as Mr. Johnson said, welcome and invite the scrutiny of all men who seek peace, "for peace is the only purpose of the course we pursue."

The controlled force of the American counterblow has clearly made its impact on the world. From its friends, this country has received such congratulations as that of Japan (very directly concerned with the problem of Communist expansion in Asia) and such encouragement as that of Britain in the Security Council. From the Soviet Union has come denunciation—but it is oddly perfunctory. In asking that North Vietnam come to the United Nations, even the Soviet delegate on the Security Council seemed to be trying, in some earnestness, to find out what has been going on in the Tonkin Gulf.

The United States, too, is puzzled by much of what has been happening in southeast Asia. But it stands as one behind the President's action. The hearteningly prompt support given Mr. Johnson's course by Senator GOLDWATER is only the most striking of many evidences of the unity of Americans in the face of this strange kind of terrorism on the high seas.

[From the New York Times, Aug. 6, 1964]

#### WIDER WAR

On July 24, President Johnson said that "the United States seeks no wider war" in Vietnam, but he warned that "provocation could force a response." That provocation—twice repeated—now has brought a response that has been, in the President's words, "limited and fitting." Whether this ends the incident now is up to North Vietnam and to Communist China. The United States plans no further military strikes if there are no further Communist attacks. President Johnson has made it clear that "we still want no wider war."

Whether or not the confrontation stops there, the crisis in southeast Asia has been altered in fundamental ways—all involving great uncertainties and even greater dangers.

The United States has become a direct combatant on a significant scale, even if only briefly. The sword, once drawn in anger, will tend to be unsheathed more easily in the future.

Congressional authority for future military action will, in effect, be delegated to the President by the joint resolution scheduled to be voted today. The President has rightly asked that the resolution express a determination that "all necessary measures" be taken.

The concept of a Communist "privileged sanctuary," heeded hitherto both in Korea and Indochina, has been breached. The circumstances under which North Vietnam may be struck again remain undefined. But the rules of the war have undergone a basic change—a change that applies to Communist China as well as to Hanoi. President Johnson was clearly addressing Peiping when he warned "any who may be tempted to support—or to widen—the present aggression" that "there can be no peace by aggression and no immunity from reply."

Hanoi's sea patrol fleet largely has been wiped out and, lacking an air force, North Vietnam has been shown to be virtually open to hostile air attack. Hanoi's willing allies in Peiping are now under pressure to provide new means for sea and air protection—and even, perhaps, to intervene directly. Hanoi's reluctant allies in Moscow are under pressure, as yesterday's Soviet statement showed to demonstrate their backing for North Vietnam before world Communist opinion.

Ranks have been closed in the United States with Senator GOLDWATER's open support for administration action. If Hanoi's attacks were an attempt to exploit political and racial division in the United States, the

American reaction has proved this futile. Vietnam, in fact, has been taken out of the presidential campaign for the moment. The attempt to keep it out, by retaining Republican support, means that President Johnson henceforth will find firmness politically easier to emphasize than restraint.

American reluctance to go to an Indochina peace conference, as urged by President de Gaulle, is strongly reinforced. If Hanoi's purpose was to force such a conference, it could not have been more poorly advised.

These are some of the political and military realities after the Tonkin Gulf exchange. The lines have hardened. A highly dangerous period has opened. It is a time that calls for coolness, as well as determination, for restraint as well as firmness.

We still have no real idea of what prompted the North Vietnamese to launch their potentially suicidal adventure. The Nation's united confidence in its Chief Executive is vital. No one else can play the hand. That confidence will be best maintained by a continued adherence to the principles the President himself has enunciated of firmness but a firmness that will always be measured—a firmness whose mission is peace.

[From the Baltimore Sun, Aug. 6, 1964]

#### PEACE THE PURPOSE

At Syracuse University yesterday, while the world waited for further developments in southeast Asia, President Johnson set forth the central concern of this Nation for all to see. "We welcome—and we invite—the scrutiny of all men who seek peace, for peace is the only purpose of the course we pursue." Only hours before, after a second Communist attack on American naval vessels, the President had ordered an air strike against the torpedo-boat bases along the coast of North Vietnam. The attack had been carried out, and the bases lay in ruins. Two American airmen had been lost. In its promise to repulse aggressors the United States had not been bluffing. Of that there could no longer be any doubt.

It is not an easy thing to lose even a small fraction of the military power available to the Commander in Chief, but in this case there was no choice. "Aggression unchallenged," the President said, "is aggression unleashed." In striking back at a time of grave provocation, the United States hoped not to spread the fighting but to pinch it off before it got out of hand. To reasonable governments the message should be clear, but American forces are being deployed in such a way as to respond appropriately if somewhere there is a misreading. That, too, is a statement of American purpose.

If there has been a suspicion abroad that the American people are dangerously disunited, this episode is proof to the contrary. Crisis always draws Americans together, and on this issue support for President Johnson is without reservation. Senator GOLDWATER set the pattern for his party, and congressional leaders, briefed early at the White House, have responded with the traditional closing of ranks. When the Nation is under the gun, politics loses all coloration. The quick rush of support from America's allies also has been gratifying.

None can foretell the perils that lie ahead. North Vietnam is an annoyance, but it is not the major consideration. The key to peace in Asia is hidden in Communist China, in the course it may essay alone, or with the encouragement of Moscow. Yesterday's convoking of a United Nations session was intended not only as a report to the nations but as an assessment of the intentions of the Soviet bloc. Whatever the dangers, the United States will face them with the courage possessed only by those who are both free and strong.

Mr. McGOVERN. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. McGOVERN. Without in any way casting any doubt on the wisdom of the resolution, there are a few brief questions that I should like to address to the Senator from his comments, if he would be willing to comment.

All of us have been puzzled, if not baffled, as to why a little State such as North Vietnam should seek a deliberate naval conflict with the United States with the overwhelming naval and air power that we have in that area. In an effort possibly to throw some possible light on that question, Mr. Murrey Marder, in his column in the Washington Post yesterday, made the following statement in the closing paragraph of his column:

North Vietnam on Sunday charged that the United States and South Vietnam had sent warships "to shell the Hon Me and Hon Ngu islands in the territorial waters" of North Vietnam. Those islands are near the area where the *Maddox* was attacked Sunday. Hon Me is used as a naval base, American sources said, and Communist PT boats have been seen in the area.

The United States has denied that any of its warships shelled the islands of Hon Me and Hon Ngu. However, despite some reports published yesterday, the State Department denied not equally exculpate South Vietnam. It only denied American participation.

#### SPECULATION ON ATTACK

There are some indications, however, that the South Vietnamese may in fact have attacked the two islands American officials have declined to discuss that, although U.S. warships on occasion reportedly have escorted South Vietnam vessels part way to their targets.

I wonder if the Senator from Arkansas could shed any light on the possible explanation for the North Vietnamese attack.

Mr. FULBRIGHT. In dealing with warfare, which essentially is an irrational business, it is dangerous to speculate as to the motives of one's enemies or adversaries. However, in this case, first, the Secretary of Defense himself stated, after the first attack on the *Maddox*, that he did not expect a repetition of the attack. He made that statement publicly. That showed how wrong he was. He said he could see no motive for it, and none of us at the first meeting we had on the question could explain why that kind of attack by a few torpedo boats against the elements of the 7th Fleet should take place, whether it was an isolated action or an impulsive action by the local commander.

But after the action was repeated, it was shown to be clearly calculated. It is my understanding, as best I can interpret what actually happened, that there were some South Vietnamese raids, if they might be so called—coastal raids—by South Vietnamese junks or naval vessels—the only kind of naval vessels they have. My information is that they have relatively small PT boats, comparable to those of North Vietnam, plus what are called motorized junks, and those from time to time have engaged in what are called hit-and-run raids, none of them

of a major nature, by South Vietnamese boats with South Vietnamese crews.

Our own naval vessels, such as the *Maddox* and other associated vessels, have never engaged in any attacks on those islands or anywhere else in North Vietnam.

The best information that I have from high officials in our Government in this field is to the effect that our boats did not convoy or support or backup any South Vietnamese naval vessels that were engaged in such attacks.

Mr. McGOVERN. The Senator would say the implication of the article is probably in error?

Mr. FULBRIGHT. It has been asserted by others that the *Maddox* was backing up or conveying the smaller vessels of the Vietnamese.

The testimony I am familiar with shows that this is not a fact.

I am reminded also that it was asked whether or not the junks of the South Vietnamese had American personnel in the nature of advisers or otherwise. We were advised they did not, that they were manned by non-Americans in all cases. In other words, the patrol duty by such ships as the *C. Turner Joy* and the *Maddox* was an operation for patrol, to keep our own forces informed about the activities in this very critical area, and was entirely unconnected or unassociated with any coastal forays the South Vietnamese themselves may have conducted.

Mr. McGOVERN. I should like to put one other question to the Senator. Over the past few days, possibly the past 2 or 3 weeks, there have been statements in the press quoting General Khanh, the South Vietnamese leader, as saying that the war had to be won by carrying it to North Vietnam. Almost simultaneously our administration leaders have been quoted as saying that the only way the war can be won is by taking on the guerrillas in South Vietnam, and that our policy is not one of extending the war to the north; quite to the contrary, that the victory must be had in the south and that we will take all reasonable steps to confine the war to South Vietnam.

Does the Senator think there is any danger in this resolution that we may be surrendering to General Khanh's position our attitude as to where the war should be fought?

Mr. FULBRIGHT. I do not think there is any danger of that. There is, of course, a danger in this whole area, and there has been for 10 years. It is dangerous. The policy of our Government not to expand the war still holds. That is not inconsistent with any response to attacks on our vessels on the high seas where they have a right to be.

Mr. McGOVERN. I agree.

Mr. FULBRIGHT. I do not think the policy that the war be confined to South Vietnam has changed. I think it is still the policy. I think it is the correct one. What causes difficulty is the fact that this is a new type of war. It is not a war in the orthodox sense. This is subversion, inspired and conducted through infiltration of supplies and men by a



neighboring country without a declaration of war. It does not fit the pattern of the traditional way we think of war. It is, nevertheless, aggression—a modernized, specialized kind of aggression, brought to a high degree of perfection by the leader of the Chinese Communists, Mao Tse-tung, who established the basic theory of how to conduct this type of warfare.

It is difficult to adjust our concepts to warfare of this kind. I think it is just as savage and as much in violation of international good behavior and law as is an overt invasion by troops. I tried to make this point in my remarks. North Vietnam has been an aggressor against South Vietnam; and I do not think so merely because of the testimony in the past 2 or 3 days. Over several years, we have received testimony about what the North Vietnamese were doing in Laos and to a much higher degree in South Vietnam.

They had two major ways of approaching South Vietnam, one by sea, and one by ground. The sea approach was the easiest way to supply the Mekong delta. So we helped the South Vietnam Government try to interrupt the transfer of men and supplies to the Mekong delta. Junks were built up for that purpose. The boats that may have struck at the coastal areas of North Vietnam may have been supplied by us. We have been helping South Vietnam arm itself. I do not know about the specific boats.

I personally think this is a perfectly legitimate and proper way to defend oneself from the kind of aggression South Vietnam has been subjected to for many years.

Mr. McGOVERN. I am inclined to agree with the Senator. I did not want my remarks to be interpreted as prejudicing the case for aid—

Mr. FULBRIGHT. I am glad to try to clarify the situation. It is difficult and confusing.

Mr. McGOVERN. There have been references in the press to the effect that General Khanh was in political trouble and that one way he thought he could get out of it was to divert attention from failure in the conduct of the war in the south to some kind of strike in the north, presumably largely underwritten by the United States. It was because of my concern with that possibility that I raised these questions.

I thank the Senator for yielding.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. ELLENDER. The Senator has stated that in the last 2 or 3 days the committee has had some hearings. Can he tell us how long these ships of ours have been in that area?

Mr. FULBRIGHT. On patrol?

Mr. ELLENDER. On patrol, yes and at whose request?

Mr. FULBRIGHT. We have had patrols in the Tonkin Gulf for about 18 months.

Mr. ELLENDER. At whose request were these patrols made?

Mr. FULBRIGHT. These are international waters. Our assistance to South Vietnam is at the request of the

South Vietnamese Government. The particular measures we may take in connection with that request are our own responsibility. The particular ships on this particular patrol are there at our own decision.

Mr. ELLENDER. Are they part of the 7th Fleet, which protects Formosa?

Mr. FULBRIGHT. Yes.

Mr. ELLENDER. The Senator says our ships have been in that area for a year and a half.

Mr. FULBRIGHT. Yes.

Mr. ELLENDER. In the Gulf of Tonkin?

Mr. FULBRIGHT. In the Gulf of Tonkin. I can be corrected on this by the distinguished chairman of the Armed Services Committee. My recollection is that they have been in that particular area a year and a half.

Mr. RUSSELL. Mr. President, elements of our fleet have been in this gulf periodically for about 1½ years.

Mr. ELLENDER. Why?

Mr. RUSSELL. These waters are the high seas. If in our general patrolling throughout the world and in the movements of our fleet on the high seas everywhere we saw fit to send our ships there. Certainly no foreign nation has a right to challenge our use of the high seas. We have a right to be there.

Mr. ELLENDER. Was any action taken by any of our ships to prevent the carrying of war materiel to the Mekong Delta?

Mr. FULBRIGHT. Does the Senator mean ships flying our flag and manned by our personnel?

Mr. ELLENDER. Yes.

Mr. FULBRIGHT. It is my understanding that that operation was conducted entirely by Vietnamese ships and personnel.

Mr. ELLENDER. Were we there to protect them?

Mr. FULBRIGHT. No; what happened here happened on patrol duty. As the Senator from Georgia has said, these ships were there in accordance with our responsibility and our rights in this general area. The ships were not assigned to protect anyone. They were conducting patrol duty. That question was asked specifically of the highest authority, the Secretary of Defense and the Secretary of State.

They stated without equivocation that these ships, the *Maddox* and the *C. Turner Joy*, were not on convoy duty. They had no connection whatever with any Vietnamese ships that might have been operating in the same general area.

Mr. ELLENDER. Was their presence in the delta area at the request or suggestion of the South Vietnamese Government?

Mr. FULBRIGHT. They were not in the delta area. Does the Senator mean in the Gulf of Tonkin area?

Mr. ELLENDER. I understood that this—

Mr. FULBRIGHT. The delta area is north of the gulf area.

Mr. ELLENDER. I am trying to discover if our forces could have done anything which might have provoked these attacks. You say the ships were not

engaged in any activity near the Mekong Delta?

Mr. FULBRIGHT. No; where they were is hundreds of miles north of the delta area.

Mr. ELLENDER. The ships that were attacked?

Mr. FULBRIGHT. Yes.

Mr. ELLENDER. The patrols carried out in the delta area were to give protection or confidence to the junks and patrol boats that were there to prevent the North Vietnamese from carrying materials of war to the South Vietnamese from carrying materials of war to the South Vietnamese. Is that correct?

Mr. FULBRIGHT. That was not the duty of the *Maddox* or the *C. Turner Joy*. They were on patrol duty in the Gulf of Tonkin—not near the Mekong Delta. They had nothing to do with the interruption of such traffic as may be carried on between North Vietnam and the delta. This duty was assigned to a fleet of junks and small craft of the South Vietnamese navy. That is still their function. They stop and examine thousands of people in order to identify them and see what they are up to. They have found a good many North Vietnamese who were coming down to carry on guerrilla warfare.

Mr. ELLENDER. Is the Senator satisfied from the evidence presented to the committee that our Armed Forces, that is, our naval forces, did nothing to invite the attack that was made in the last few days?

Mr. FULBRIGHT. Nothing that they are not entitled to do. Their very presence in the Gulf of Tonkin could be said by someone to invite an attack, but they had every right to be there, and they were not shelling the coast or intervening in any of the legitimate operations of the Government of North Vietnam. In an area in which there is tension and in which there has been this very bloody kind of guerrilla warfare or irregular warfare, one might say, broadly speaking, that their presence could be a provocation. I do not think so. I do not believe that can be rightfully said. They had every legitimate right to be there.

Mr. ELLENDER. I do not question that fact at all. My question was directed to whether or not the evidence showed any act on our part which might have provoked this attack.

Mr. FULBRIGHT. I would say categorically that that was not shown. Whatever provocation there may have been arose, if it did arise, from the activity of the North Vietnamese ships.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. BREWSTER. I had the opportunity to see warfare not so very far from this area, and it was very mean. I would look with great dismay on a situation involving the landing of large land armies on the continent of Asia. So my question is whether there is anything in the resolution which would authorize or recommend or approve the landing of large American armies in Vietnam or in China.

Mr. FULBRIGHT. There is nothing in the resolution, as I read it, that contemplates it. I agree with the Senator

that that is the last thing we would want to do. However, the language of the resolution would not prevent it. It would authorize whatever the Commander in Chief feels is necessary. It does not restrain the Executive from doing it. Whether or not that should ever be done is a matter of wisdom under the circumstances that exist at the particular time it is contemplated. This kind of question should more properly be addressed to the chairman of the Armed Services Committee. Speaking for my own committee, everyone I have heard has said that the last thing we want to do is to become involved in a land war in Asia; that our power is sea and air, and that this is what we hope will deter the Chinese Communists and the North Vietnamese from spreading the war. That is what is contemplated. The resolution does not prohibit that, or any other kind of activity.

Mr. BREWSTER. I thank the distinguished chairman.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MORTON. Mr. President, first I say to the distinguished Senator from Arkansas that I approve the action that has been taken, and I approve this resolution. On the matter which was the subject of the colloquy between the chairman of the Foreign Relations Committee and the distinguished Senator from Louisiana, can we not associate our presence in the Gulf of Tonkin to a degree with our own interpretation of our obligations under the SEATO Treaty?

Mr. FULBRIGHT. Yes. I made mention of it. That is a further responsibility that we undertook in aligning ourselves with other countries in trying to bring peace and stability into this area. That was another obligation which we undertook. It fortifies our right or responsibility for being in the Gulf of Tonkin.

Mr. MORTON. I believe the action taken by the President helps to avoid any miscalculation on the part of either the North Vietnamese or the Chinese Communists. I believe the joint resolution gives that policy further strength. In my opinion, the three major wars in this century have come about by miscalculation on the part of the aggressor.

I believe Congress should speak loud and clear and make it plain to any would-be aggressor that we intend to stand here. If we make that clear, we will avoid war, and not have to land vast land armies on the shores of Asia. In that connection I share the apprehension of my friend the Senator from Maryland [Mr. BREWSTER].

Mr. FULBRIGHT. The Senator has put it very clearly. I interpret the joint resolution in the same way. This action is limited, but very sharp. It is the best action that I can think of to deter an escalation or enlargement of the war. If we did not take such action, it might spread further. If we went further, and ruthlessly bombed Hanoi and other places, we would be guilty of bad judgment, both on humanitarian grounds and on policy grounds, because then we

would certainly inspire further retaliation.

This situation has been handled in the best way possible under the circumstances, so as to calm the situation, and not escalate it into a major war.

Mr. MORTON. I thank the Senator from Arkansas.

Mr. FULBRIGHT. I yield to the Senator from Ohio.

Mr. LAUSCHE. I should like to add something to the answer that was given to the Senator from Louisiana [Mr. ELLENDER]. In my opinion, the evidence is very clear that our Government did not design or manipulate a situation which would precipitate violence. The proof shows clearly that the commander of the *Maddox*, when the patrol boats were following it, called the commander of the *Ticonderoga* and informed him that the North Vietnamese patrol boats were following him and were indicating all the purposes of violence. It was not until the patrol boats fired upon the *Maddox* that the *Maddox* took any action. We waited; and no action was taken by our Government until the torpedoes were set into motion. Our ship turned seaward.

Second, the Island of Hainan is in the gulf. Chinese aircraft and military bases are on that island. Our ships were patrolling the gulf, surveying the activities that were going on in the gulf. My answer is that not to have been there would have been a disservice to our country. We were where we had a right to be. We did nothing to precipitate this unwarranted action. The action of violence was not on the part of our Government, but on the part of the North Vietnamese against us.

What were we to do? Were we to allow them to fire at us and take no action? The commander of the *Maddox*, when he contacted the commander of the *Ticonderoga*, acted with complete restraint and indicated no purpose of engaging in violence. Not until we were fired upon did we fire back.

Furthermore, to conclude that we developed a design to precipitate this violence is not supported by any testimony whatsoever. To make the pronouncement that we manipulated the situation, that we designed a set of circumstances that would give us an excuse to fire, is wholly unwarranted. Not one syllable of testimony supports that conclusion.

Mr. FULBRIGHT. Will the Senator from Ohio allow me to answer questions? Then he may speak on his own time.

Mr. LAUSCHE. Just half a second more.

Mr. FULBRIGHT. I thought the Senator wished to ask a question. But I have no objection to his concluding his statement.

Mr. LAUSCHE. I wanted to give my understanding of this very important, crucial aspect of the dispute. I repeat: There is not a single bit of testimony warranting the conclusion that we manipulated or designed the situation.

Mr. ELLENDER. Mr. President, I was questioning the Senator from Arkansas merely to seek assurance that the evidence shows there was no possibility that our forces took any action, even ac-

identally, which might have provoked an attack. Certainly I did not intend to intimate that the commanders of our ships were at fault, or that we were looking for an excuse to attack North Vietnam.

Mr. LAUSCHE. I understand, Mr. President. I merely wanted to make plain that our forces were not at fault in any way; that our ships had a perfect right to be in those waters; and that there is absolutely no evidence of any design or manipulation involved in the chain of events which took place. I did not wish to allow that impression to stand in the Record.

Mr. JAVITS. Mr. President, will the Senator yield? I wish to ask a question.

Mr. FULBRIGHT. I should like to yield the floor.

Mr. JAVITS. I wish to ask a question, and a rather serious one.

I shall support the resolution, because I think we must defend freedom in that area, or else see the balance of a large segment of the population of the world tipped against freedom. The degree of our resistance under the action that may be taken in southeast Asia, under the resolution, will determine not only future events in Vietnam, but also the freedom of Malaysia, India, Pakistan, and Indonesia, and perhaps even Australia and New Zealand.

My question is this: To the extent that the Senator may know—and be permitted to disclose—are we not implementing the Southeast Asia Collective Defense Treaty? This treaty has eight countries who are parties to it including the United States—three in the area, the rest in Europe, Australia, and New Zealand, and ourselves. The inclusion of Cambodia, Laos, and Vietnam is by protocol. That is, the protection of the treaty is extended to them, though they are not parties to it.

The question I address to the Senator is this: Are we to assume that the action which the President has taken with respect to reacting to the attack on American vessels is the result of a consultation with our allies who are parties to the Southeast Asia Collective Defense Treaty? If it is, what are we to assume with respect to the future progress of the action which we authorize under the resolution, which is admittedly a broad action? Is it that the President may take all necessary steps, including the use of Armed Forces, to assist any member or protocol state, which would include Laos, Cambodia, and Vietnam, in the Southeast Asia Collective Defense Treaty, that may request assistance in defense of its freedom?

What I wish to know from the Senator is, first: Have we consulted with our allies? Second, what are we to look to from our allies in the way of assistance, aid, comfort, partnership, and the future implementation of the resolution? It is one thing to stand alone; it is another thing to stand with seven other countries, three of them in the area, implementing a solemn commitment, which is just as binding on them as it is on us. I am sometimes inclined to agree with those who say that we cannot be the policeman or guardian of the whole



world. We cannot lead it by the hand. We can be the linch pin; but what are we to accept from the others?

Mr. FULBRIGHT. That is quite a question. It has several facets, all of them of pertinent interest.

First, this particular action was not taken in consultation with the other signatories of the Southeast Asia Treaty. It was an act for which we took the responsibility. It had nothing to do with the treaty. The fact that we are present in the area grows, at least in part, out of our obligations under the treaty. That is one of the reasons why we are in the area, and have been for a number of years. But we would have the right to be there without the treaty.

As to the contribution of the protocol states—there are three, as the Senator from New York has said. Under the Laotian Agreement of 1962, Laos is out of the treaty. Cambodia has renounced any desire to be protected by the United States. So actually this is a technical way of saying that we are assisting South Vietnam, because that country is all that is left. That phrase means South Vietnam.

As to contributions by other members of SEATO, they have been too little. There has been consultation in the past on numerous occasions, in an effort to persuade the other countries to bear a greater share of the burden. The question has been asked, "What are the others doing?" We were informed as late as this morning, and on other occasions in the past several days, that they are not doing very much. Pakistan is preoccupied with its own problems with India, so I do not believe Pakistan is doing anything.

The French are doing a good deal in the way of investment. France has a traditional relationship there. France supplies some personnel, but the major part of her contribution is in the form of investment.

Australia's contribution has been small, but Australia is building up her contribution of advisory and military personnel and some contribution of technical assistance. The same is true of New Zealand. The Thai, of course, are there in the area and they are, I am sure, anxious to do what they can. Who else is there?

Mr. JAVITS. The Philippines and the United Kingdom.

Mr. FULBRIGHT. The Philippines have not made a large contribution. The United Kingdom has been more than occupied with its responsibilities in Malaysia and has made no contribution.

Mr. JAVITS. That is in the right direction—

Mr. FULBRIGHT. An indirect contribution, yes; but it is in Malaysia. The greater part of the burden has been borne by this country. Unfortunately, we find this to be true in other areas as well. Until recently, within the past several years, we were the only major free country capable of doing it. Now the other countries that are becoming more capable have not yet assumed what I consider to be their proper part of an overall effort to defend free countries.

Mr. JAVITS. I should like to ask one followup question of the Senator from Arkansas.

Mr. FULBRIGHT. I am ready to yield the floor so that the distinguished Senator from Georgia [Mr. RUSSELL] can give the Senate much more light on the situation, but I am glad to yield to the Senator from New York.

Mr. JAVITS. I believe that the Senator will agree that we are dealing with pretty substantial matters.

Mr. FULBRIGHT. They are very important. I consider this situation to be a facet of the most important matter now before the country.

Mr. JAVITS. I agree with the Senator. Let me ask one further question: May a Senator voting for the resolution assume that the United States, with all its means, diplomatic and otherwise, will continue, first, to keep the SEATO Treaty in effect by continuing consultations even if for the moment it does not get enough assistance from our partners; second, it will continue to press for maximum contributions compatible with their own capabilities and their own national security from their other partners; third, that it will continue to utilize all the organs for international peace which are mentioned here, including the United Nations, in order to secure freedom in that area. And because the President gets the resolution, we are not going to vote on that one proposal and make everything else perfunctory.

Mr. FULBRIGHT. We have had positive assurance from the Secretary of State about the very matter the Senator is discussing. I approve of that policy. Much has been said about bringing the United Nations into it. I am sympathetic to that. One of the Members of this body has had a great deal to say about that. I approve of it, with this reservation, or this qualification, that it is not timely, when one is in dire straits, to turn over a situation such as this to a body which is not equipped to assert the kind of power I believe to be necessary to stabilize the area.

At the present time, this is not a quarrel in which a "yes" or "no" to the United Nations would bring them in to control and direct this effort. Having assumed this burden, and the situation having deteriorated as it has, I believe that we have to establish some sort of stability before we can say to the United Nations, "You take it."

I look forward to the time when this can be done. I believe that if we could ever stabilize the situation and there were some reasonable assurance that North Vietnam and the Chinese would leave these people alone, we could take it to the United Nations with some assurance that it would work.

Mr. JAVITS. With the thoughts and the principles I have laid out, can the Senator commit himself, as chairman of the Foreign Relations Committee, to bring our "sentinel," to follow through on these matters, after the joint resolution is passed.

Mr. FULBRIGHT. I shall do everything I can, within the limits of my capacity and my position on the Senate

Foreign Relations Committee, because I really agree with this philosophy. I am not looking for an expansion of war. I am looking, in any way that I can, to bring in with us both our allies and the United Nations, when and if conditions can be created that that would be a feasible procedure to follow. I believe that this particular action is well designed to help stabilize the entire area.

Mr. JAVITS. I agree with the Senator, provided we would have some feeling in our heart that there will be a really manful followthrough, which we have sometimes lacked before.

Mr. FULBRIGHT. The Senator did not ask me this precisely, but I must say that the Secretary of State has performed extremely well.

Mr. JAVITS. I agree with the Senator.

Mr. FULBRIGHT. The Secretary of State is an indefatigable worker. He has consulted with the members of SEATO on numerous occasions. The Senator has read about it in the past. I do not know how he stands up under the constant schedule of visits and consultations that he has endured during the past 3 years. I believe that he is committed to the proposition the Senator has stated. I certainly am. I hope that we can work this problem out. I believe that we have had some success in the past. We tend to forget every instance of success in working with countries on situations somewhat like this one—perhaps not quite so threatening, but we have had some bad ones, and they have faded into the past.

Mr. JAVITS. The Senator is correct.

Mr. FULBRIGHT. The combined judgment of the military and the civilian branches of the Government has worked extremely well in this instance. They all seem to be in agreement. The Chairman of the Joint Chiefs testified that they were unanimous in their recommendation. There seems to be no division within the highest circles of our Government. I thought it was very encouraging.

Mr. JAVITS. I shall detain the Senator no longer. I shall vote with the Senator from Arkansas on this basis.

Mr. MILLER. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I am glad to yield to the Senator from Iowa.

Mr. MILLER. I also support the resolution. However, there is some phraseology in the resolution which troubles me somewhat. I should like to ask a question about it. On page 2 of the resolution, there is a clause which reads:

That the Congress approves and supports the determination of the President . . . to prevent further aggression.

I was wondering whether there was any particular design in the wording of that clause, or if we intend to not only talk about further aggression, but also the President's determination to put an end to present aggression?

Mr. FULBRIGHT. That whole phrase reads—

. . . to take all necessary measures to repel any armed attack—

That is one we have just had—  
\* \* \* against the forces of the United States and to prevent further aggression.

I am sure that we took action calculated to prevent further aggression, because it was a very good, positive, and affirmative action.

Mr. MILLER. It is left open. It does not say aggression against whom. It is broad enough so that it could mean aggression against the United States, or aggression against the South Vietnamese Government, which I would suggest certainly fits in with the President's determination—

Mr. FULBRIGHT. I believe that both are included in that phrase.

Mr. MILLER. I would hope so.

Mr. FULBRIGHT. I would so take it.

Mr. MILLER. If that is so, then we are talking about further aggression against the South Vietnamese, but it seems to me that we should be talking about present aggressive action. We should be talking about the President's determination to put an end to present aggression as well as further aggression. I am sure that this is his determination, but I do not believe that we have said it. I merely call this to the attention of the Senator from Arkansas, because I thought it was perhaps—

Mr. FULBRIGHT. I do not believe that the Senator should look solely at that part. Section 2 is important and is related to this question.

Mr. MILLER. Section 2—it covers it very well. My own regret is that we do not also cover it in the first part of the resolution.

Mr. FULBRIGHT. Would that not be unduly repetitive and make the resolution longer than necessary? The original resolution proposed to certain members of both committees was quite long and involved. On the advice of members of the committee, the Department cooperated in reducing the resolution to what we thought would be its bare essentials, both as to its "whereas" clauses and to the resolution itself. We thought it would be much clearer and more positive to make it as concise and limited as possible. If there is fault to be found with the resolution because it is too limited, I believe that I, along with some of my colleagues, must bear a part of that responsibility.

Mr. MILLER. I know that it is difficult to draft a resolution of this kind to satisfy everyone and keep it concise. I know that conciseness is a virtue, but all I should like to do is to point out what I have done and, also, to inquire whether there will be any change in the resolution. I leave that up to the distinguished chairman of the committee. I affirm the opinion of the Senator from Arkansas that we are supporting the President's determination not only to prevent further aggression, but also to put an end to present aggression. I would appreciate his expression on that policy.

Mr. FULBRIGHT. Section 1 deals, in general, with the attacks on U.S. forces and the aggression against us. Section 2 deals with the attacks on SEATO, of which we are a part. We have a dual

role. We are a sovereign power. Our forces are in the Gulf of Tonkin, and the aggression there is one thing. We are also part of SEATO. This is not spelled out, but that is the general idea, I believe, that is expressed in the two sections.

Mr. MILLER. But there is no intention expressed other than to prevent further aggression and stop the present aggression in southeast Asia.

Mr. FULBRIGHT. That is correct.

Mr. MILLER. I did not think there was. But I wanted to make that crystal clear.

Mr. FULBRIGHT. The Senator is correct.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I would be glad to yield. But I am embarrassed not to turn the floor over to the Senator from Georgia [Mr. RUSSELL].

Mr. RUSSELL. The Senator need not be embarrassed. He can handle the situation.

Mr. HOLLAND. Mr. President, if either of the two questions that I shall ask concerns matters that the distinguished Senator from Arkansas [Mr. FULBRIGHT] thinks the Senator from Georgia [Mr. RUSSELL] should answer, I shall be glad to refer them to the Senator from Georgia.

My first question is, Based upon the knowledge that we all have, that Malaysia has a long frontier with Indonesia and Burma with Red China, am I correct in my understanding that neither Malaysia nor Burma is a party to or a protocol state of the Southeast Asia Collective Defense Treaty?

Mr. FULBRIGHT. That is correct. In the report, on page 3, there is a statement with regard to the SEATO and protocol members. A statement was made about the protocol members.

Mr. HOLLAND. I heard the statement. I want the record to be very clear that Congress is not being asked by the joint resolution to make any advance commitment relative to these two states.

Mr. FULBRIGHT. The Senator is absolutely correct in his statement. In the preliminary meeting which was concerned with the drafting of the resolution, this very point was brought up. This language does not cover either Malaysia or Burma.

Mr. HOLLAND. I thank the Senator. I have one more question. I note in section 3, with interest and with approval, if I correctly understand it, the provision that, in effect, Congress reserves the right to terminate any advance expression or commitment in this field by the passage of a concurrent resolution upon which the President would not have to pass. Am I correct in that understanding?

Mr. FULBRIGHT. That is correct. This whole joint resolution can be terminated at any time by a concurrent resolution of the Congress. That is taken verbatim, I believe, from the Mideast resolution.

Mr. HOLLAND. Mr. President, I thank the Senator. I believe that is a very proper matter to be included here.

It shows clearly that while Congress is giving various assurances and approval of certain acts, if necessary, by the President in the fields covered by the resolution, it definitely those fields clearly. Then it further reserves to itself the right to terminate, for any cause sufficient to itself, this advance expression or commitment.

Mr. FULBRIGHT. The Senator is correct. That was put there for that purpose.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. NELSON. I could not hear all the colloquy between the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Iowa [Mr. MILLER]. I heard a part of it.

As I understand, the mission of the United States in South Vietnam for the past 10 years—stating it in the negative—has not been to take over the Government of South Vietnam, and has not been to provide military forces to do battle in place of South Vietnamese forces. To state it in the positive sense, our mission has been to supply a military cadre for training personnel, and advisory military personnel as well as equipment and materiel—our objective being to help in the establishment of an independent stable regime. And, if my memory is right, we had about 1,000 troops there the first 5 or 6 years, up to 1960. There are now approximately 16,000 troops there. In addition, it is now proposed that this number be expanded to, I believe, 21,000.

Looking at sentence 6 of the resolution, I understood it to be the position of the Senator from Iowa [Mr. MILLER] that Congress is saying to the President that we would approve the use of any might necessary in order to prevent further aggression. Am I to understand that it is the sense of Congress that we are saying to the executive branch: "If it becomes necessary to prevent further aggression, we agree now, in advance, that you may land as many divisions as deemed necessary, and engage in a direct military assault on North Vietnam if it becomes the judgment of the Executive, the Commander in Chief, that this is the only way to prevent further aggression"?

Mr. FULBRIGHT. As I stated, section 1 is intended to deal primarily with aggression against our forces. "That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression."

This means to me that it is with regard to our own forces. I believe section 2 deals with the SEATO area, which we are committed to protect under our treaties, particularly when they ask for our assistance.

If the situation should deteriorate to such an extent that the only way to save it from going completely under to the Communists would be action such as the Senator suggests, then that would be a grave decision on the part of our country



as to whether we should confine our activities to very limited personnel on land and the extensive use of naval and air power, or whether we should go further and use more manpower.

I personally feel it would be very unwise under any circumstances to put a large land army on the Asian Continent.

It has been a sort of article of faith ever since I have been in the Senate, that we should never be bogged down. We particularly stated that after Korea. We are mobile, we are powerful on the land and on the sea. But when we try to confine ourselves and say that this resolution either prohibits or authorizes such action by the Commander in Chief in defense of this country, I believe that is carrying it a little further than I would care to go.

I do not know what the limits are. I do not think this resolution can be determinative of that fact. I think it would indicate that he would take reasonable means first to prevent any further aggression, or repel further aggression against our own forces, and that he will live up to our obligations under the SEATO treaty and with regard to the protocol states.

I do not know how to answer the Senator's question and give him an absolute assurance that large numbers of troops would not be put ashore. I would deplore it. And I hope the conditions do not justify it now.

Mr. NELSON. We may very well not be able to nor attempt to control the discretion that is vested in the Commander in Chief. But the joint resolution is before the Senate, sent to us, I assume, at the request of the executive branch.

Mr. FULBRIGHT. The Senator is correct.

Mr. NELSON. It was sent to the Congress in order to ascertain the sense of the Congress on the question. I intend to support the joint resolution. I do not think, however, that Congress should leave the impression that it consents to a radical change in our mission or objective in South Vietnam. That mission there for 10 years, as I have understood it, has been to aid in the establishment of a viable, independent regime which can manage its own affairs, so that ultimately we can withdraw from South Vietnam.

Mr. President, we have been at the task for 10 years. I am not criticizing the original decision to go into South Vietnam. I do not know how long that commitment should be kept in the event we are unable to accomplish our mission. And I would not wish to make a judgment on that question now. But I would be most concerned if the Congress should say that we intend by the joint resolution to authorize a complete change in the mission which we have had in South Vietnam for the past 10 years, and which we have repeatedly stated was not a commitment to engage in a direct land confrontation with our Army as a substitute for the South Vietnam Army or as a substantially reinforced U.S. Army to be joined with the South Vietnam Army in a war against North Vietnam and possibly China.

Mr. FULBRIGHT. Mr. President, it seems to me that the joint resolution would be consistent with what we have been doing. We have been assisting the countries in southeast Asia in pursuance of the treaty. But in all frankness I cannot say to the Senator that I think the joint resolution would in any way be a deterrent, a prohibition, a limitation, or an expansion on the President's power to use the Armed Forces in a different way or more extensively than he is now using them. In a broad sense, the joint resolution states that we approve of the action taken with regard to the attack on our own ships, and that we also approve of our country's effort to maintain the independence of South Vietnam.

The Senator from Wisconsin prompts me to make a remark which perhaps I should not make. He has said that we might be mistaken in our action. If any mistake has been made—and I do not assert that it has been—the only questionable area is whether or not we should ever have become involved. That question goes back to the beginning of action in this area, and I do not believe it is particularly pertinent or proper to the debate, because in fact we have become involved. However, the Senator has mentioned it. As an academic matter, the question might be raised. But having gone as far as we have in 10 years, it seems to me that the question now is, How are we to control the situation in the best interest of our own security and that of our allies? I believe that what we did was appropriate. The joint resolution is appropriate, because it would fortify the strength of the Executive and the Government. It would put the Congress on record—and we are the most representative body that we have under our system—as supporting the action. If anything will deter aggression on the part of the North Vietnamese and the Chinese, I believe it would be the action taken together with the joint resolution supporting the action. That is the best I can do about justification of the resolution. In frankness, I do not believe the joint resolution would substantially alter the President's power to use whatever means seemed appropriate under the circumstances. Our recourse in Congress would be that if the action were too inappropriate, we could terminate the joint resolution, by a concurrent resolution, and that would precipitate a great controversy between the Executive and the Congress. As a practical question, that could be done.

Mr. NELSON. I have a couple of additional questions. But first I wish to say that I did not suggest that by the use of hindsight I would now conclude that the intervention in 1954 was wrong. I do not know. I understand the necessity for the United States, since it is the leader of the free world, to do all it can in furtherance of the protection of the idea of freedom and independence, and that, to do so, we must make gambles. We shall lose some; we shall win some. I believe the public is slow to recognize that we have vast responsibilities, and they expect us to win every gamble that we take. I do not

expect that. And I do not now rise here to criticize the original decision.

But I am concerned about the Congress appearing to tell the executive branch and the public that we would endorse a complete change in our mission. That would concern me.

Mr. FULBRIGHT. I do not interpret the joint resolution in that way at all. It strikes me, as I understand it, that the joint resolution is quite consistent with our existing mission and our understanding of what we have been doing in South Vietnam for the last 10 years.

Mr. NELSON. Did I correctly understand the Senator from Arkansas to say a while ago that the language of the resolution is aimed at the problem of further aggression against our ships and our naval facilities?

Mr. FULBRIGHT. I think that is the logical way to interpret the language. It makes reference to the armed attack against the forces of the United States which has just taken place, and to prevention of further aggression against our forces. Then the joint resolution passes on to our obligations under the treaty, which involves other countries.

I believe also that it is implicit, if not explicit, in the next section that the intent is to prevent the continuing aggression that now exists against South Vietnam.

Mr. NELSON. If the Senator would permit, I should like to ask a few brief additional questions. I could not hear the colloquy between the Senator from Arkansas and the Senator from Louisiana. In relation to international boundary waters, can the Senator tell me what distance offshore we recognize in respect to North Vietnam and Red China?

Mr. FULBRIGHT. Three miles is the established principle that we recognize.

There is some difference among countries. Some countries try to assert a distance greater than that. Some assert a greater distance for reasons such as the ownership of minerals, for example, but do not assert it for political reasons, such as control of the surface of waters. They agree that another country has the right to be there.

Recently an effort has been made to divide the North Sea for purposes of exploration for oil. It is not being divided in the sense that we would be excluded from crossing the North Sea. It is still the high seas.

But we recognize the 3-mile limit for political purposes. We might recognize a boundary a greater distance from a country if that country wished to drill for oil. We have done so in other places.

One of the reasons given for sending the *Maddox* in closer than 12 miles from the shore was that in doing so the action would demonstrate that we do not recognize the 12-mile limit.

Mr. NELSON. That was to be my next question. Does the Senator know how close to the North Vietnam coast or the Red China coast our ships were patrolling?

Mr. FULBRIGHT. It was testified that they went in at least 11 miles in order to show that we do not recognize

a 12-mile limit, which I believe North Vietnam had asserted.

Mr. NELSON. The patrolling was for the purpose of demonstrating to the North Vietnamese that we did not recognize a 12-mile limit?

Mr. FULBRIGHT. That was one reason given for going in to a point 11 miles from the coast. The patrolling as such was not for that purpose. That action was in execution of our mission and our responsibility in that area under the SEATO treaty. As I said a moment ago, we have a right to go where we like on the high seas. The reason we are in this particular area is that we have assumed responsibilities under the treaty as well as bilaterally with South Vietnam.

Mr. NELSON. Recognizing, as we all do, the great sensitivity of all countries, especially enemies, or those hostile to each other to what purpose in the promotion of our mission in South Vietnam is served by having our ships go within 11 miles of the North Vietnam coast?

Mr. FULBRIGHT. This strikes me as a question that raises a difficult problem, with which I tried to deal in describing modern war. The Senator refers to the sensitivities of the North Vietnamese. What about the fact that the North Vietnamese have for years been sending in trained personnel, material, guns, and ammunition, to attack their neighbor? Why should the United States be so careful about the sensitivities of North Vietnam? Of course, we were there for the purpose of observation of what went on in that area, because our people felt it necessary as a part of our activities in protecting and helping to protect South Vietnam.

The problem is difficult. Who is the aggressor in this area? It has been asserted on the floor, and elsewhere, that the United States is the provocateur, the aggressor, and that we ought to be ashamed of ourselves. I do not subscribe to that view. I know it is difficult to go into a person's motives. There is a rule about doing so on the Senate floor. So far as I know of this situation, we have been trying, in good faith, to help these countries establish their own independence.

I have no doubt in my own mind that the moving party in this matter has been North Vietnam, supported by Red China. They feel this is an area over which they should have domination. It is an area over which many centuries ago they did. I have no doubt that in the long run it is an area where they will have great influence. We do not profess or expect to dominate that country or annex it or control it in any way.

We have adopted the principle that we shall do what we can to enable the people there to have an independent life and control their own affairs. We have tried, in good faith, to do it in this area. We have been interfered with, in a most material and vicious and savage way. The program of terror has been almost unprecedented. I suppose there has been some precedent for it, but it has been long continued, violent, and vicious.

We have tried our best to control this situation. We have supported the Government of South Vietnam. We had every right to have patrols in the Gulf of Tonkin to see what was going on and to be informed about any movements—the usual function of patrol in a critical area. I do not see why we should be so responsive to the sensitivities of the North Vietnamese. I am sure that the presence of our ships there is bothersome and irritating to them, but they brought it on themselves. For my part, I do not apologize for it at all. I do not believe they are in any position to question our right to be in the Gulf of Tonkin, or in any position to question our right to assist South Vietnam, however irritating it may be to Ho Chi Minh.

Mr. NELSON. Let me repeat that I presently intend to support the joint resolution. I do not think we should give up recognized international rights. I do not suggest that we need to apologize to anybody. I do suggest—and this is what I do not understand—if patrolling that close has no necessary bearing upon the mission we have insisted we have in South Vietnam, it would seem to me that perhaps it is not the exercise of our best judgment to do it.

Let me put the question another way.

Mr. FULBRIGHT. I apologize to the Senator. I was diverted for just a moment. I did not hear what he said.

Mr. NELSON. What I said was that, recognizing what we assert to be our rights, I am suggesting that if patrolling that close does not have a direct, necessary bearing upon the accomplishment of our mission, I am wondering whether we should be taking the risk of the sinking of our ships.

Mr. FULBRIGHT. That is a legitimate question. All I can say is that, from the best information I have, it most certainly has an important relevance to our mission in the observation of the traffic that goes through the area.

Whenever there is a state of tension such as exists between us and South Vietnam on the one hand, and North Vietnam, on the other, I think it is traditional that the activities of the adversary be observed as closely as possible. This is one of the principal sea routes for the supplying of North Vietnam. The information we would normally find there is important.

I do not see how the Senator could believe that this was not relevant to our efforts to assist South Vietnam, or, to put it another way, to restrain the activities of North Vietnam, and especially to be forewarned if there were a possibility of a major blow.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. RUSSELL. May I say to the distinguished Senator from Arkansas that it is extremely irritating to me, and I believe to millions of American citizens, that Soviet Russian ships should patrol the waters and sail in the waters off our coast, 3 miles from our shores, near some of the most sensitive installations we possess. It irritates me no end, but I have not advocated, and very few Americans have advocated, violating interna-

tional law by moving out and making attacks on those Russian ships because they are in highly sensitive areas for us. This kind of activity is carried out by all nations of the world that have any navy worthy of the name. If it is not done by warships, it is done by ships in other guise, to try to get information. The mere fact that to have a ship of a nation one does not like, within international waters, off that country's shores, is irritating, seems to me to be scanty excuse for the attacks in these two cases. It so happens that in the second attack, as I understand it, the ship was 60 miles offshore.

Mr. FULBRIGHT. Mr. President, I would like to yield the floor.

Mr. SCOTT. Mr. President, will the Senator yield to me before he yields the floor?

Mr. NELSON. Mr. President, I simply am asking questions to be sure I am adequately informed.

Mr. FULBRIGHT. I understand. I do not quarrel with the Senator at all. He is perfectly within his rights to ask for information.

Mr. NELSON. I would conclude by saying that no two situations are comparable, but it would be mighty risky, if Cuban PT boats were firing on Florida, for Russian armed ships or destroyers to be patrolling between us and Cuba, 11 miles out. It would be a grave risk for her to be testing our viewpoint about her patrolling that close when Cuban boats were firing on Florida. So the question was whether the patrolling that close was really necessary to the accomplishment of our mission. We are after all, dealing with the possibility of incinerating the whole world.

Mr. FULBRIGHT. As the Senator from Georgia pointed out, Russian ships come within 4 or 5 miles, although not within 3 miles, of our shores.

Mr. NELSON. I referred to the assumption of Cuban boats firing on Florida.

Mr. FULBRIGHT. We are not firing on Cuba, nor they on us. I do not see how the case is analogous. There is a new state of modern warfare that is not orthodox. It is subversion and guerilla warfare. These people are, for all practical purposes, engaged in a war, without a declaration of war, that is going on between South and North Vietnam.

Mr. NELSON. I have taken enough time. I merely wish to add that it is not quite correct to say that we are not firing on North Vietnam.

Mr. FULBRIGHT. We are not firing on Cuba, I said.

Mr. NELSON. I said assume a situation in which Cuba was firing on the coast of Florida with PT boats. It would be a risky thing for Russia to be out there testing our viewpoint about their patrols within 11 miles of our coast.

Mr. FULBRIGHT. I do not deny that it is risky. The whole operation is risky. It is full of risks.

Mr. NELSON. I hope we do not take risks that are unnecessary for the achievement of an objective that we have asserted to be ours for the past 10 years.

Mr. FULBRIGHT. I hope so.



Mr. SCOTT. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. SCOTT. I support the resolution. I was glad to hear the chairman say that there is nothing in the resolution which limits the right of the President to repel any attack or prevent further aggression within the areas described in the resolution.

Mr. FULBRIGHT. That is correct.

Mr. SCOTT. That is one of the reasons I support the resolution. As I understand it, the question of so-called privilege sanctuaries has always been a question of how long such sanctuaries remain privileged if the security of the United States is menaced by vessels operating out of such privileged sanctuaries. I believe the President has quite properly and rightly announced that the United States is authorized and seeks approval of Congress to continue to act to defend the United States, even if it be against a so-called or hitherto described privileged sanctuary. Is that not correct?

Mr. FULBRIGHT. I think that is correct. The retaliatory action taken against the bases from which these ships came fits that description.

Mr. SCOTT. I do not have the experience that the distinguished Senator from Arkansas has. However, I have heard the President, in off-the-record discussions, refer to the pros and cons of privileged sanctuaries generally, without reference to a specific country.

I understand he is doing now what he was at any time prepared to do if in his judgment it was necessary to do it.

Mr. FULBRIGHT. It was wise and proper to do it. It is difficult to generalize about these matters. I believe that under the circumstances which existed in this situation he was wise. The action was well calculated and designed to achieve his purpose. I hesitate to generalize too far, because the conditions under which these things are done must be understood. We should not ruthlessly attack a country under different circumstances, perhaps, than these. I have reference to the Greek rebellion. Senators will remember that we had forces there seeking to maintain the independence of Greece. The Communists had a sanctuary across the border. By persistence we finally brought the affair to a successful conclusion. When that border was closed, the rebellion stopped, and Greece went on its way quite successfully as an independent country. That is what we hope to bring about here.

Mr. SCOTT. I believe we all have confidence that the President was right under international law to do what he did, whether it be called hot pursuit or anything else, in order to protect this country.

Is it not a fact that our naval planes, in the course of reconnaissance along the Chinese mainland, have received—and this is not classified information, and it has been published in the newspapers—numerous warnings and, in fact, a series of warnings, for having proceeded within the 12-mile zone, which, of course, we

do not recognize, but these warnings were based on our penetrating what the Communists call a 12-mile zone. That is nothing new. There have been a whole series of similar objections. However, we have been engaged in this process for the purpose of protecting the 7th Fleet and protecting our lines of communication and protecting our roles and missions and protecting the security of the United States.

Our vessels had every right to be where they were within the 12-mile limit and without the 3-mile limit. That is what I understood the Senator to have said.

Mr. FULBRIGHT. I said it so happens—I say this to keep the record straight—that the actual attack, according to my information, took place far beyond the 12-mile limit. The first attack was approximately 25 miles out, and the second was about 60 miles.

Mr. RUSSELL. I believe it was 30 and 60 miles.

Mr. FULBRIGHT. Yes.

Mr. RUSSELL. I might add that our vessels has turned away from the South Vietnam shore and were making for the middle of the gulf, where there could be no question, at the time they were attacked.

Mr. FULBRIGHT. At the time of the first attack they were steaming away from the shoreline. The second attack came at night. The first one was in the daytime. Our ships were not within the 12-mile limit, so called, at the time of the attack. I have stated that from time to time we did go deliberately within the 12-mile limit simply to emphasize our nonrecognition of the 12-mile limit, or, to put it another way, to establish and reaffirm our right to go there.

Mr. SCOTT. That clarifies the situation. I am glad the President has acted. The action was very much indicated. I believe it helps to make our Nation more secure. I intend to support the resolution.

Mr. COOPER. Mr. President, will the Senator yield for two questions?

Mr. FULBRIGHT. Yes.

Mr. COOPER. I know the Senator has been on his feet for a long time.

Mr. FULBRIGHT. It is not that. The Senator from Georgia would like to say something.

Mr. RUSSELL. My remarks will be very brief.

Mr. FULBRIGHT. I am perfectly willing to continue. I believe the Senator from Georgia should have an opportunity to say something.

Mr. COOPER. I thank the Senator. I ask these questions for two reasons: One is to get the opinion of the chairman of the Foreign Relations Committee and of the chairman of the Armed Services Committee as to the extent of the powers that are given to the President under the resolution. The second is to distinguish between a situation in which we act in defense of our own forces, in which without question we would risk war, and the commitment to defend South Vietnam.

My first question goes to the first section of the resolution—the operative part which, as the chairman has said, applies

to any armed attack or any aggression directed against the forces of the United States.

Mr. FULBRIGHT. That is correct.

Mr. COOPER. In that case, of course, we confirm the power that the President now has to defend our forces against an immediate attack.

Mr. FULBRIGHT. The Senator is a very distinguished lawyer, and I therefore hesitate to engage in a discussion with him on the separation of powers and the powers of the President. We are not giving to the President any powers he has under the Constitution as Commander in Chief. We are in effect approving of his use of the powers that he has. That is the way I feel about it.

Mr. COOPER. I understand that, too. In the first section we are confirming the powers.

Mr. FULBRIGHT. We are approving them. I do not know that we give him anything that he does not already have. Perhaps we are quibbling over words.

Mr. COOPER. We support and approve his judgment.

Mr. RUSSELL. Approve and support.

Mr. FULBRIGHT. Approve and support the use he has made of his powers.

Mr. COOPER. The second section of the resolution goes, as the Senator said, to steps the President might take concerning the parties to the Southeast Asia Collective Defense Treaty and the countries under the protocol—which are, of course, Laos, Cambodia, and South Vietnam. The Senator will remember that the SEATO Treaty, in article IV, provides that in the event an armed attack is made upon a party to the Southeast Asia Collective Defense Treaty, or upon one of the protocol states such as South Vietnam, the parties to the treaty, one of whom is the United States, would then take such action as might be appropriate, after resorting to their constitutional processes. I assume that would mean, in the case of the United States, that Congress would be asked to grant the authority to act.

Does the Senator consider that in enacting this resolution we are satisfying that requirement of article IV of the Southeast Asia Collective Defense Treaty? In other words, are we now giving the President advance authority to take whatever action he may deem necessary respecting South Vietnam and its defense, or with respect to the defense of any other country included in the treaty?

Mr. FULBRIGHT. I think that is correct.

Mr. COOPER. Then, looking ahead, if the President decided that it was necessary to use such force as could lead into war, we will give that authority by this resolution?

Mr. FULBRIGHT. That is the way I would interpret it. If a situation later developed in which we thought the approval should be withdrawn, it could be withdrawn by concurrent resolution. That is the reason for the third section.

Mr. COOPER. I ask these questions—

Mr. FULBRIGHT. The Senator is properly asking these questions.

Mr. COOPER. I ask these questions because it is well for the country and all of us to know what is being undertaken.

Following up the question I have just asked and the Senator's answer, I present two situations that might arise.

Under the first section of the joint resolution, the President is supported and approved in action he may take "to repel any armed attack against the forces of the United States and to prevent further aggression."

It has been reported that we have already sent our planes against certain ports in North Vietnam. I am sure that the reason is "to repel armed attack and to prevent further aggression" against U.S. forces.

Under section 2, are we now providing the President, if he determines it necessary, the authority to attack cities and ports in North Vietnam, not primarily to prevent an attack upon our forces but, as he might see fit, to prevent any further aggression against South Vietnam?

Mr. FULBRIGHT. One of the reasons for the procedure provided in this joint resolution, and also in the Formosa and Middle East instances, is in response, let us say, to the new developments in the field of warfare. In the old days, when war usually resulted from a formal declaration of war—and that is what the Founding Fathers contemplated when they included that provision in the Constitution—there was time in which to act. Things moved slowly, and things could be seen developing. Congress could participate in that way.

Under modern conditions of warfare—and I have tried to describe them, including the way the Second World War developed—it is necessary to anticipate what may occur. Things move so rapidly that this is the way in which we must respond to the new developments. That is why this provision is necessary or important. Does the Senator agree with me that this is so?

Mr. COOPER. Yes, warfare today is different. Time is of the essence. But the power provided the President in section 2 is great.

Mr. FULBRIGHT. This provision is intended to give clearance to the President to use his discretion. We all hope and believe that the President will not use this discretion arbitrarily or irresponsibly. We know that he is accustomed to consulting with the Joint Chiefs of Staff and with congressional leaders. But he does not have to do that.

Mr. COOPER. I understand, and believe that the President will use this vast power with judgment.

Mr. FULBRIGHT. He intends to do it, and he has done it.

Mr. COOPER. I do not wish to take more time now, because the distinguished Senator from Georgia wishes to speak, and I want to hear him.

Mr. FULBRIGHT. I have no doubt that the President will consult with Congress in case a major change in present policy becomes necessary.

Mr. COOPER. I will speak further later in the day. I wish to say this now: I know it is understood and agreed that in the defense of our own ships and

forces any action we might take to repel attacks could lead to war, if the Vietnamese or the Chinese Communists continued to engage in attacks against our forces. I hope they will be deterred by the prompt action of the President.

We accept this first duty of security and honor. But I would feel untrue to my own convictions if I did not say that a different situation obtains with respect to South Vietnam. I know that a progression of events for 10 years has carried us to this crisis. Ten years have passed and perhaps the events are inevitable now, no one can tell. But as long as there is hope and the possibility of avoiding with honor a war in southeast Asia—a conflagration which, I must say, could lead into war with Communist China, and perhaps to a third world war with consequences one can scarcely contemplate today—I hope the President will use this power wisely with respect to our commitments in South Vietnam, and that he will use all other honorable means which may be available, such as consultations in the United Nations, and even with the Geneva powers.

We have confidence in the President and in his good judgment. But I believe we have the obligation of understanding fully that there is a distinction between defending our own forces, and taking offensive measures in South Vietnam which could lead progressively to a third world war.

Mr. FULBRIGHT. The question concerns the kind of actions taken in this instance. I think the President took action that is designed to accomplish the objective the Senator from Kentucky has stated. That is what I have tried to make clear. I join in the Senator's hope that all-out war can be avoided.

Mr. McGOVERN. Mr. President, will the Senator yield for one question?

Mr. FULBRIGHT. I shall yield for one question; then I shall yield the floor.

Mr. McGOVERN. The Senator may recall that about 10 years ago, on December 2, 1954, the United States signed with the Nationalist Chinese Government a mutual defense treaty. In effect, we committed ourselves to joint defense for security interests in the western Pacific.

Shortly after that agreement was signed, there was a considerable amount of anxiety expressed in the United States that perhaps we in effect had surrendered control of our foreign policy in that part of the world to the Nationalist Chinese. Partly to offset that anxiety, there was an exchange of notes between Secretary Dulles and the Nationalist Chinese Minister of Foreign Affairs, in which the two gentlemen agreed in effect that if there were to be any action by military forces on the part of either the Nationalist Chinese Government or ourselves in the western Pacific, the two countries would consult with each other, and that any such action would be taken only after mutual agreement.

I am wondering whether there is any similar protection written into the security arrangements that we have with reference to South Vietnam. Is that kind of protection, for example, written into the SEATO agreement, or in any of the

notes which have been exchanged between our Governments, so that we would not, in effect, be surrendering control of our actions in southeast Asia to the Government of South Vietnam?

Mr. FULBRIGHT. I do not believe we are surrendering control to them. Under the SEATO Treaty, as I recall it, we take our own actions according to our constitutional processes. I do not believe that we have surrendered control of our actions. However, as a practical matter our influence upon the Government of South Vietnam is a matter of relations between our Ambassador and General Khanh. We consult daily, I believe, with regard to the conduct of our mutual affairs in that area. To give a short answer, I know of no exchange of notes, or anything of that kind. I do not recall any testimony on the precise point the Senator has brought up.

Mr. McGOVERN. What I am getting at is, suppose the Government of South Vietnam, for whatever reason, should decide to launch a major military attack on North Vietnam, would we be obligated in any kind of arrangement we have with South Vietnam?

Mr. FULBRIGHT. No. We have no obligation to follow through with a situation which we believe to be unwise, stupid, or silly. We could disavow it and withdraw and have nothing to do with it. We have no treaty agreement or any other agreement that I know of that binds us to follow through with that.

Mr. LAUSCHE. The southeast Asia treaty provides specifically that it is applicable only when aggressions are committed against members of the treaty, and is not applicable should members of the treaty commit aggressions against countries other than those who are members of the treaty. That is written into the treaty.

Mr. FULBRIGHT. I believe that it also applies only to aggression from Communist countries.

Mr. MORSE. It covers the protocol countries.

Mr. McGOVERN. I was not a Member of the Senate at the time, and I know that the Senator from Arkansas knows infinitely more about it than I do, but when the Formosa resolution was approved by Congress early in 1955, I believe that the approval for that resolution was secured partly because of the exchange of notes which had taken place months before, in which both Nationalist China and the United States agreed that neither country would undertake any kind of military action in the Pacific without making it a joint action. It is on the basis of that assurance that the Formosa resolution was approved. So that is why I rose to ask my question.

Mr. FULBRIGHT. I know of no such exchanges in this case.

Mr. McGOVERN. I thank the Senator.

Mr. FULBRIGHT. Mr. President, I yield the floor.

Mr. RUSSELL. Mr. President, I shall be very brief in my comments in support of this resolution.



Mr. STENNIS. Mr. President, would the Senator from Georgia wish to suggest the absence of a quorum?

Mr. RUSSELL. I do not think so. I thank the Senator, however, for his thoughtfulness.

Mr. President, this resolution has precedents in those that were adopted at the time of the crisis in Formosa, at the time of the crisis in the Middle East, and also in connection with Cuba. These other resolutions will be remembered by many Members of the Senate.

Some reservation has been expressed about the grant of power—which is broad power—to the President. The language that grants this power to the present President of the United States is almost identical with the language used in granting similar power to President Dwight D. Eisenhower in the case of Formosa, and Matsu and Quemoy—the two islands just off the Chinese mainland held by Chiang Kai-shek against the wishes of Red China. The Red Chinese had been shelling those islands intermittently and there was great apprehension that they were about to launch an attack to capture them.

Congress granted President Eisenhower almost the identical power that would be granted in section 2 of this resolution, to enable him to protect those islands, in the event that he concluded they were important and vital to the maintenance of international peace and security, and the vital interests of the United States.

What became of that power?

It is in existence at this very moment.

Senators refer to the new power which is being granted today. But the power granted to President Eisenhower existed during the tenure in office of John Fitzgerald Kennedy, and resides at this very moment in Lyndon Baines Johnson at the White House—power which is very similar, except for the geographic area involved, to that which we propose to grant today in the case of North Vietnam.

The same is true with respect to the Middle East resolution. We granted certain power to President Eisenhower in March of 1957, in connection with the situation in the Middle East, by approving a resolution that reads:

The President is authorized to undertake in the general area of the Middle East military assistance programs with any nation or group of nations in that area desiring such assistance. Furthermore, the United States regards as vital to the national interest and world peace the preservation of the independence and integrity of the nations of the Middle East. To this end, if the President determines the necessity thereof, the United States is prepared to use Armed Forces to assist any such nation or group of nations requesting assistance against armed aggression from any country controlled by international communism.

What became of that power?

It is in existence today. It has never been terminated or annulled by the means set forth in the resolution. The same situation is true in the case of the Cuban resolution. The power that was originally granted to President Kennedy, the assurance of support from the Con-

gress, is in existence today and resides in the Chief Executive.

Unless some steps should be taken to cancel it, the power granted in this resolution with respect to the vast difficulties in Vietnam—and I do not underestimate them, neither do I undertake to underrate them—will continue for whoever is elected President in November.

Mr. President, the spirit of crisis and impending danger that hung over this Chamber when we were considering the Formosa resolution was far greater than it is at this very hour. But in that instance, and when we approved the other similar resolutions, our national solidarity and our steadfastness in the face of crisis prevented much more serious and much broader military action.

I am sure that all of us who intend to vote for the joint resolution pray that the adoption of the resolution, and the action that may be taken pursuant to it, will achieve the same purpose and avoid any broadening of war, or any escalation of danger.

This resolution does not alter the constitutional separation of responsibility for the conduct of foreign relations for the command of our Armed Forces and for the establishment and maintenance of our Armed Forces. Instead, the resolution is intended to demonstrate that Congress approves the retaliatory action that has been taken in defense of our flag and our Armed Forces, and that Congress shares in the determination that this country will do everything necessary to defend our national interests, wherever they may be endangered.

The events that bring the resolution before us are too well known to require detailed repetition. Suffice it to say that U.S. naval vessels have been attacked while in international waters. The President has authorized a response. That response was, in a way, commensurate with the attacks up to this point. If there is further unprovoked military action against our forces, response under this resolution will undoubtedly be tailored to fit the facts and needs of that situation.

There is, of course, the hope that the outrageous attack which gave rise to this resolution is only a spontaneous, irresponsible action by the North Vietnamese without the direction and approval of any of their Communist associates. The rulers of North Vietnam must know that any further belligerency toward us or our forces can lead to their destruction. If they prove to be so irresponsible as to continue these unprovoked attacks, they will be inviting consequences of the direst sort.

In the present circumstances, it will serve no useful purpose to debate the wisdom of our original decision to go into Vietnam. It is unnecessary for me to state that I had grave doubts about the wisdom of that decision. It would certainly do no good to dwell on those doubts here today. Indeed, second guesses about our foreign policy, and what it should be in that area, or whether our support to South Vietnam has been too much, or has been too little, are not involved directly in the question

before us. What is involved is our right as an independent state to operate our vessels upon international waters that have been recognized as free to all states for many centuries. Involved also is our national honor. Our national honor is at stake. We cannot and we will not shrink from defending it. No sovereign nation would be entitled to the respect of other nations, or, indeed, could maintain its self respect, if it accepted the acts that have been committed against us without under taking to make some response.

Our Armed Forces are capable of a broad range of reaction. In the instant case, the President selected one so limited that no reasonable and objective observer could assume a desire on our part to escalate the war or to broaden its scope. I shall say, however, that if future events demand a more vigorous response, this Nation has the power, and I believe our people have the will, to use that power. The portents of this resolution are great. No action whatever can be taken in the field of international relations in today's troubled world that does not involve some danger. But I submit to this body the view that I firmly believe there is much more danger in ignoring aggressive acts than there is in pursuing a course of calculated retaliation that shows we are prepared to defend our rights.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. SALTONSTALL. Mr. President, unfortunately I have been at a legislative appropriation conference. I have not heard all of the discussion. But I know that the chairman of the Committee on Foreign Relations and the chairman of the Committee on Armed Services have gone into the broad aspects of this problem very thoroughly. I join the Senator from Iowa and with the two committee chairmen in sponsoring this resolution. I believe it is of fundamental importance to our prestige in the world today and to the prestige of our armed services.

Mr. President, from the beginning of our Nation, Massachusetts men have always gone down to the sea in ships. We are proud of our Navy. We know its strength and effectiveness in preserving our country and our defenses.

Its prestige and the prestige of our country in the eyes of the world is at stake.

It is the responsibility of the President to take immediate action to defend our country when he believes that it is under attack in one way or another.

As the representative of all our people, he now asks Congress to support him in the position he has taken in this instance where our Navy has been fired upon. He made the decision to retaliate for the attack.

The resolution before us today lends support to the President's decision to defend our Navy and to build up and to maintain its prestige in the eyes of the world.

I support it wholeheartedly and hope that the Senate will adopt it by an over-

whelming vote. Because I believe in the sentiments and principles set forth in the resolution, I joined in sponsoring it.

I believe it is one of the most fundamental propositions to come before the Senate since I have been a Member of this body and I hope there will be little opposition to it.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. RUSSELL. I am glad to yield to the Senator from Missouri, who happens to be the only Member who serves on both committees that met jointly to consider the resolution today.

Mr. SYMINGTON. Mr. President, I have listened with great interest to the remarks of the distinguished senior Senator from Georgia, the leading civilian military authority in this town today. I would associate myself with his remarks, as well as with those of the distinguished chairman of the Committee on Foreign Relations, one of the truly great scholars of those matters having to do with foreign affairs.

It seems to me this is a relatively simple matter we are discussing this afternoon.

I would agree that it is not as serious as other recent crises and most certainly it is not as serious as the Cuban confrontation, where a possible aggressor had nuclear weapons.

The matter for decision is whether the United States accepts an attack on one of its ships 65 miles offshore or should defend itself against this clearly planned aggression.

If we allow these attacks to proceed without any response, the position, the prestige of the United States abroad that part of the world, very possibly in all other parts of the world, would suffer a serious loss of respect. The free world continues free today because of the physical, economic, and above all spiritual strength of the United States, although we welcome any and all support from our allies. It is a privilege to be on the floor of the Senate and hear my chairman once again express his pride and confidence in the future of America. It is also a privilege to associate myself with his remarks.

Mr. RUSSELL. I thank the distinguished Senator for his very kind words.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. RUSSELL. I shall yield first to the Senator from Louisiana, and then I shall be glad to yield to the Senator from Iowa, who is a member of the Foreign Relations Committee.

Mr. ELLENDER. Mr. President, I am in thorough agreement with the views expressed by my friend the senior Senator from Georgia [Mr. RUSSELL].

I should like to ask whether or not the Senator knows if any effort has been made by us in the last few days or in the past to get our allies to join us in our effort, and whether any insistence has been made by his committee in order to effectuate that endeavor.

Mr. RUSSELL. Mr. President, that question is not primarily within the purview and jurisdiction of the Armed Serv-

ices Committee, but I may say to my distinguished friend that no one feels more deeply than I do—about the fact that when the United States intervenes, many others who have equal responsibility have tended to say, "Let Uncle Sam do it." I will say that I have been assured by both the Secretary of State and the Secretary of Defense that they have endeavored to get assistance. The Senator is familiar, of course, with the peculiar conditions that exist with respect to France at the present time.

France is a nation that had more familiarity with this area of the old colonial days than any of the other nations of the Western World. Great Britain is a tried and trusted friend. But they are engaged at the present time in the Malaysian operations. Their armed forces are not as large as I should like them to be. But their military strength is on a standby status under the threats that have been issued by Sukarno against the new state of Malaysia.

Australia has increased its assistance in Vietnam within the past 6 or 8 months. They actually have personnel in the field now as advisers with military units, just as American military personnel serve with those units.

I do not make any of those statements to indicate that I think our associates are doing as much as they can or as much as they should. But there has been some increase at least, and I hope and earnestly pray that this will be a harbinger of willingness to assume a fairer share of the great responsibility of protecting the free world from domination by international communism.

Mr. ELLENDER. Does not the Senator think that it is incumbent upon us as members of the SEATO organization to make every effort to get assistance from the members of SEATO? As I understand, France, the United Kingdom, Pakistan, New Zealand, Australia, the United States, the Philippines, and Thailand, are members of SEATO. Is it not incumbent upon us to have a meeting of SEATO before we go too far? The reason I make that statement is that I fear that we shall once again be left holding the bag, alone, unless we do something along those lines.

Mr. RUSSELL. I share the Senator's feeling. The Senator knows that SEATO meets at regular intervals. We have been assured that our representatives have urged increasing assistance. The question is important, not only from a military standpoint, but also from a psychological standpoint. It is important that all countries associated in SEATO make a more substantial contribution to this deplorable condition that exists in Vietnam.

As I said at the outset, the question is one which is more within the jurisdiction of the Foreign Relations Committee than that of the Armed Service Committee, but I have been concerned about it. I have done what I could to encourage our representatives to insist upon greater participation.

Mr. ELLENDER. I express the hope that action will be taken soon, and that we shall not have a repetition of what happened in South Korea. As the Sen-

ator knows, we carried most of the burden there—in fact, over 90 percent of it—and in excess of 90 percent of the soldiers who died in South Korea, other than South Koreans, were American.

Mr. RUSSELL. We carried more than 90 percent of the financial and logistical cost.

Mr. ELLENDER. Yes, indeed, we did. Unless we take action now to try to get our allies to assist, the chances are that the burden will fall upon us.

Mr. RUSSELL. I thank the Senator. I now yield to the distinguished Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, I thank the distinguished Senator from Georgia. I shall not repeat the philosophical and political arguments that have taken place on the floor of the Senate in support of the resolution. They have been amply presented by the Senator from Georgia, the chairman of the Armed Services Committee, and by the Senator from Arkansas, the chairman of the Foreign Relations Committee. As one of the cosponsors of the joint resolution, I merely wish to approve the basic arguments underlying the submission of the joint resolution and its purposes, its necessity, and its justification.

We are in a serious situation. Any time a question of this kind comes up it is of the utmost seriousness. I shall not go far enough to say that it is a question of extreme situation. I do not know whether I dare use that word or not. But it is of the greatest seriousness. I will say that. Therefore we must act, not only in defense of the national honor and the prestige of the United States, but also in defense of the basic principles which we will either defend or see destroyed and eroded away by our inaction.

I have always felt that it was a little bit silly, if a fire started in one of the main buildings of a town or in someone's house, to call a meeting of the town council to determine whether the fire department should be called. Meanwhile, the fire is burning down the building. Someone must get a bucket or a hose and put out the fire.

We are up against much the same situation here on the question with which we are confronted. As the Senator from Georgia has pointed out, the proposed action is not without precedent. In my experience, which has encompassed the various resolutions to which the Senator has referred in his argument, we have joined with the President on various occasions in certain defined areas of the world for the purpose of protecting the interests of the United States and the protection of freedom. On certain principles involved in Presidential action, involving force, I am not in full agreement with all of my colleagues; I am in agreement with some and in disagreement with others as to the inherent power of the President or the extent of such power.

In this case there is not the slightest question in my mind that the President not only has full authority, but has a responsibility, to protect American institutions and interests when they are



attacked, without having to come to the Congress for that authority.

At a future date, the question of use of American force may give rise to some persuasive arguments, perhaps on both sides of the question. However, a resolution of this kind forecloses that argument and joins the Congress with the President of the United States in unity in saying that when our forces are attacked, when we are endangered, we are united, not only in repelling, but, if necessary, in attacking the source of that infection or difficulty that is threatening us. That is why I say it is our responsibility. That is why I have joined as a cosponsor of the resolution.

I, as I am sure every Member of the Senate, regrets that we must take this action, but we must let not only our enemies but our friends in the world know that there is a line beyond which the United States will not tolerate destruction or endangering of freedom.

If we are to survive in a world of freedom—if that is to be our objective—we will keep our commitments and hold our heads high, as we always have, and defend our liberties and rights.

While this issue could become emotional, I hope we are approaching it with considerable calmness and objectivity. I am sure the overwhelming majority of the Members of this body are approaching it with objectivity and calmness, but sincere determination and unity on any issue must be shown not only to our enemies, but to our friends.

I join the Senator from Louisiana in the earnest hope and desire that our allies and associates will come in with us. That is very true. But again, if someone is drowning and another has the power to save him, he does not say, "I won't jump in and get you out unless you and you and you also jump in with me and help me get the person out of duress vile and a state of extremus."

When something like that happens, we have a responsibility to ourselves, to our civilization, and to the cause of freedom, to do something about it. I think that is the way we are approaching the issue here.

We must invite and urge all freedom-loving nations to join with us, if possible, but a dangerous situation exists now. That is why the resolution is urgent and essential. It is why I support it. As the President pointed out, similar authority exists in other areas, and it will only enlarge those powers for this section of the world, under the circumstances which exist there.

I congratulate the Senator from Georgia for the clarity of the statement he has made.

Mr. RUSSELL. I thank the Senator from Iowa. I have been privileged to serve with him for many years. He approaches these problems without the slightest hint of partisanship. He is a great patriot and Senator. No more loyal or dedicated patriot has ever served in the Senate.

Mr. GRUENING. Mr. President, it is always difficult not to accede to a request from the President of the United States, especially one which is couched in terms of high principle and national in-

terest. I have no doubt that the President fervently believes that the course he is pursuing in southeast Asia is in the best interests of the Nation.

By long established practice, the Executive conducts the Nation's foreign policy. But the Congress and particularly, by constitutional mandate, the Senate has a right and duty in these premises to "advise and consent." Especially is this true when it is specifically called upon by the Executive, as is the case now, for its participation in momentous decisions of foreign policy. Therefore we in the Senate would be derelict in our duty if we did not individually express our views if those views embody doubt or dissent, and where a vote is called for, to cast that vote as our conscience directs.

As early as March 10, nearly 5 months ago, I took the floor and in an address of considerable length urged that the United States get out of South Vietnam, at least to the extent of participation by our soldiery. Since that time, I have discussed U.S. participation in this area of the world repeatedly. I have stated and restated my view that this was not our war; that we were wholly misguided in picking up the burden abandoned by France 10 years ago after the French had suffered staggering losses running into tens of thousands of French young lives and vast sums of money to which the United States contributed heavily, and thereupon entering upon a policy which would be bound to result, as it has resulted, in the sacrificing of the lives of our young Americans in an area, and in a cause that in my reasoned judgment poses no threat to our national security.

I have repeatedly called attention to the pertinent fact that we, the United States, are going it all alone; that our SEATO allies, the United Kingdom, France, Australia, New Zealand, the Philippines, Pakistan, and Thailand, are not taking part, despite our earnest pleas for them to do so, which pleas may, in recent days, have resulted in a few slight taken gestures which are wholly insignificant. I have called attention to the fact, and do again, that whereas American boys are dying in combat, although presumably they are there as advisors, no British boys are on the firing line; no French boys are any longer at the front, they appear to have learned their lesson; no Australian youths are being killed; no New Zealand youngsters are being sacrificed; no Philippine casualties are being incurred; and the same may be said for the Pakistanis, despite the fact that we have given them close to a billion dollars in military aid.

In any event, I am convinced that peace will not be established by military means. Sooner or later the issue is bound to be settled at the conference table. Eventually, why not now?

While I am deeply convinced that American security is not involved, the allegation that we are supporting freedom in South Vietnam has a hollow sound. We have been supporting corrupt and unpopular puppet dictatorships which owe their temporary sojourn in power to our massive support. They have scant support from their own peo-

ple, who have shown little disposition to fight. Hence our steadily increasing involvement. Yet we have persistently alleged that the war cannot be won except by the South Vietnamese. It is not happening, nor will it.

Some weeks ago I urged on the floor of the Senate that the United States take the lead in seeking a cease-fire, and that this be accompanied and implemented by a United Nations police force, as has been done in the Congo and is being done in the formerly troublesome border between Israel and Egypt. It has worked there. It has largely put an end to border strife and killing. Why not try it in South Vietnam, where the cost in lives has already proved infinitely greater?

But the United States has not pursued peace as it has pursued and carried out armed intervention on an ever-increasing scale.

The latest episode—the attack by North Vietnam vessels—on U.S. naval vessels, I consider an inevitable development of the U.S. steady escalation of our own military activities in southeast Asia in recent weeks. I do not justify or condone that attack on our ships. It was both stupid and outrageous. I do not at all disagree with the administration's policy of countering this attack and of not merely repelling the attackers but destroying them and giving them the same medicine which they seek to inflict on our vessels.

But that does not mean that I can approve the whole U.S. policy of active, unilateral military intervention in southeast Asia, and I have expressed myself repeatedly to that effect in the Senate.

I repeat now that I do not consider this our war and that I feel that all Vietnam is not worth the life of a single American boy. We inherited this putrid mess from past administrations, and we should have made, and should now make, every effort to disengage ourselves. We have lost altogether too many American lives already. Unless we reverse our policy, their number will steadily increase.

I regret, and consider it a pity, that both our political parties appear now to be committed to a policy of war in southeast Asia. Yet American public opinion, judged by my mail, is overwhelmingly committed to a different policy—a policy of peace. It apparently at this time has no spokesman in the high councils of either major political party. My mail pours in with virtual unanimity on this subject. It comes from all over the country. It comes from a truly representative cross section of the American people. It includes bishops, deans of schools and colleges, university professors, business executives, teachers, retired Army officers, and it comes from every State of the Union.

The case against the pending proposal to endorse our southeast Asian policy of steadily increasing escalation, which despite the President's expressed desire not to extend the war, has taken place and will take place inevitably, the case against this pending resolution, was admirably, and in my view—wholly convincingly—set forth in great detail yes-

terday by the distinguished senior Senator from Oregon, WAYNE MORSE.

I would hope that every Member of this body would have read his comprehensive analysis of how the situation has reached its present tragic involvement before each casts his vote. No one, in the Senate or elsewhere, can consider himself fully informed to pass judgment on the momentous decision we are asked to make and its involvement of our country without hearing both sides of the argument. The press has given very little of this other side.

Senator MORSE has presented the case for not voting approval of the administration's course. I have long supported a similar view. I do support enthusiastically the taking of the latest episode; namely, the attack by North Vietnamese vessels on U.S. naval vessels, and our reprisal, to the United Nations.

But not merely this serious incident which is a part of the undeclared war in southeast Asia, should be considered. The United Nations should not be limited to consideration of that incident by itself. I do not see how it can logically do so. Let us hope—and I do hope—that out of this may come a complete investigation by the United Nations of the whole southeast Asian situation, and that from this may emerge a referral of that situation to the council table.

The joint resolution, Senate Joint Resolution 189, which we are considering in section 2, bases its case in part on the charter of the United Nations. The drafters of this resolution seem to have disregarded several other provisions of the United Nations Charter, which seem to me highly pertinent, indeed far more pertinent.

Article 33 provides:

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

I submit, Mr. President, that the United States, as well as North and South Vietnam, have totally ignored this specific mandate. Have any of these three parties to this dispute, as this article requires, sought "a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice"?

Mr. President, I ask this question:

Has the United States, has South Vietnam, has North Vietnam, obviously parties to the long-standing dispute, or have any of our SEATO presumed allies, following the clear prescription of article 33 of the United Nations Charter, sought "first of all"—let me note that the charter says "first of all"—a solution by negotiation?

Have they sought a solution by inquiry?

Have they sought a solution by mediation?

Have they sought a solution by conciliation?

Have they sought a solution by arbitration?

Have they sought a solution by judicial settlement?

Have they sought a solution by "resort to regional agencies or arrangements"?

Have they sought a solution by resort to "other peaceful means of their own choice"?

Obviously, they have not. Obviously, none of the parties to the dispute, "the continuance of which" is certainly "likely to endanger the maintenance of international peace and security," sought any one of the eight means which the United Nations Charter spells out so clearly.

The United States has not only not done so. It has not even attempted to do so.

South Vietnam, whose policies and very existence the U.S. controls, has not done so.

North Vietnam has not done so.

Obviously, the United States, far from being, as Senate Joint Resolution 189 asserts in section 2, "consonant with the Charter of the United Nations," has flagrantly disregarded it.

But to have done otherwise, to have resorted to these peaceful means, namely, "first of all" to "seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means," would have been precisely the policy which I deeply believe we should have followed.

At the very least we should have tried.

But, instead, we have become more and more enmeshed in the folly of an inherited policy, with steady enlargement of the area of conflict, a steady increase in American participation, and a mounting loss of American lives.

Despite the President's declared worthy purpose not to expand the conflict, the conflict has been and is being steadily expanded. We are adding more advisers, and we are increasing our participation by all three branches of the service—Air Force, Navy, and Army. And with these increases, there will be inevitably an increasing loss of American lives.

It is a difficult and painful decision for me to make, but in good conscience I cannot do other than to vote "no" on the pending resolution.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the text of Senate Joint Resolution 189 be printed in the Record at this point in my remarks.

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

Whereas naval units of the Communist regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace; and

Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom; and

Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military, or political ambitions in that area, but desires only that these peoples should be left in peace to work out their own destinies in their own way: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

SEC. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

SEC. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress.

Mr. KUCHEL. By way of emphasis I wish to read section 2 of the resolution, as follows:

SEC. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

Mr. President, this is not the first time that the legislative branch of our Government has been called upon to recognize and to confirm in the President the authority, the duty, and the responsibility resting in him to take such steps as he deems appropriate under our Constitution, to defend our country and our people, and to discharge America's solemn obligations as they may arise through our agreements for collective security with like-minded free nations all around the globe.

I remember the Middle East resolution. I remember the Formosa resolution. Both came to Congress from President Eisenhower. Both were requested so that all might know that the people's representatives in this branch of the Government agreed with the Chief Executive of the United States with respect to the authority he possessed and the circumstances under which he would be compelled to utilize his power.

Those two resolutions demonstrated to all the world the unity, dedication, and solidarity of purpose not only among the representatives of the people in Congress and the President, but among the people of our country as well.



Once again a storm is gathering over a long tormented area of this weary world. Ominous and ugly are the threat and thrust of communism in southeast Asia. The storm may yet be dissipated, but only if the Red regime unmistakably understands that the United States will honor its pledge and assist her SEATO allies in time of peril.

That is the plain intent of the joint resolution now about to be passed by Congress. Let friend and foe alike understand that we—America—shall keep the faith. Our country stands together in the face of danger. That is the clear meaning of our message. If Communist Asia, even at this late time, carefully assesses the high cost of her contemplated marauding aggressions, peace can return to the lands of her peace-loving neighbors, and the sun will shine again.

Mr. CHURCH obtained the floor.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. CHURCH. Mr. President, without losing my right to the floor, I yield to the distinguished Senator from Mississippi.

Mr. STENNIS. I thank the Senator for yielding.

Few persons have had more concern than I during the last 10 years about the growing menace and threat by the Communists to freedom in Vietnam. I have recently taken sworn testimony, classified, from some of our pilots who have been on duty in Vietnam during the last 2 years. I can say with solemnity, but with certainty, that a grave and serious situation already exists on the mainland of Vietnam. We are involved to an appreciable degree.

Someone has suggested that the conditions necessitating this joint resolution are not nearly so serious as those which confronted us when the Formosa joint resolution was before Congress. On the whole, I suppose, I would agree. Still, I believe we would make a great mistake if we minimized in any degree the gravity and seriousness of the situation confronting us now.

I do not believe the American people have been sufficiently warned and informed about the gravity of conditions there.

I remember that when the Formosa resolution was before the Senate for consideration a few years ago, a Member of this body, who is no longer with us, said he believed that if the resolution were passed, the United States would be at war in 90 days. That prediction proved to be erroneous. On the contrary, I believe the Formosa resolution helped us to avoid war. I believe this one will, too. That is one of the major reasons why it deserves support.

Today we have no choice. Our flag has been attacked, and our country has been challenged in international waters—on the high seas—where we had a right to be. Our flag and our men have been fired upon. Many hundreds, if not thousands, of our naval personnel could have lost their lives had the torpedoes been more accurately aimed and hit one or more of the destroyers.

We properly gave the aggressors fair warning after the first shot. Then they

hit us again. Very properly, we then struck back.

The matter has now been referred to Congress, to see what we will do; whether or not we believe the action taken was right; whether we shall stand on that realistic policy in the future; and whether we are united. Either we must stand our ground or run away. That may be oversimplicity; but if we do not send such a message as that, we are in reality inviting another attack from any nation, large or small, who might wish to push us around.

We have already struck the aggressors a severe blow. Section 1 of the resolution merely expresses the attitude of Congress that we will stand by it and will strike again, if necessary. I believe this firm course, if we take it, may be our last or only chance to avoid what could quickly develop into full-scale war. The joint resolution shows our unity as well as our determination. It also shows that no one dares to attack us without paying a heavy price therefor.

I emphasize that the situation is serious; but it will become far worse if we show the slightest weakness or hesitation. If we must have a showdown, it is far better that it comes before Red China obtains nuclear weapons. Our honor, our safety, and our security are at stake.

For these reasons, I shall vote for and support the resolution. None of us are happy about the situation in Vietnam and about our position there. But that bridge has long since been crossed. We are already there. We dare not run away, certainly not while we are under attack. I am sure the people will support this position. They will be given the opportunity to understand more about what is happening in Vietnam.

I commend the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Georgia [Mr. RUSSELL], the Senator from California [Mr. KUCHEL], and other Senators for their remarks and their position on this grave matter and endorse their position.

Mr. CHURCH. Mr. President, the ominous events that have taken place in the Gulf of Tonkin merely serve to emphasize how close we are living to the fuse of war. Whether those events have lighted that fuse remains for the future to disclose.

None of us has any doubt about why this joint resolution is before the Senate. It results directly from the Communist attack on the American destroyers. Those ships, when attacked, were on the high seas, where they had a legal right to be. Those ships, from all that we have been told, were not engaged in my aggressive action directed against the shores of North Vietnam.

Our reply to the first attack upon the *Maddox* was confined to the immediate defensive needs of the destroyer. When a second, clearly premeditated attack followed, the President chose not to confine over counteraction to the immediate defenses of the ships involved, but to retaliate in kind. Having twice been stung by bees, he chose to strike back at the hive itself. Still, the retaliation was limited to the PT bases on the North

Vietnamese coast, and to the petroleum tanks that fueled the PT boats themselves.

The President is to be commended for the restraint, as well as for the promptness and effectiveness of the American retaliation.

In the narrowest sense, the joint resolution could be supported on grounds of ratifying the action already taken, our right to free access to the seas, and our duty to defend ourselves, in appropriate ways, against attacks upon us.

Mr. President (Mr. SALINGER in the chair). I believe that on such ground alone Congress would be justified in its support of the joint resolution, upon the principle that the punishment was fitted to the crime.

The President has emphasized—and I believe properly so—that in the retaliatory action we have taken, there is not to be read any change of purpose on the part of the United States. He has stated that it is not our policy or our purpose to expand the war. If that expansion occurs, then it will be the choice of others—not our own. I am in wholehearted agreement with the emphasis he has given to the peaceful goals we hope to serve, and to the fact that it is not the policy of the United States to extend the war in southeast Asia.

But, Mr. President, it would not be either candid nor correct to consider this resolution on such narrow grounds.

It is necessary to recognize that our situation today must be viewed within the context of American policy in the Far East; otherwise, our ships would not be in the Gulf of Tonkin, and the serious events of the past few days would not have occurred.

I have had doubts about American policy in southeast Asia. I have expressed those doubts from time to time, in this Chamber, in interviews for publication in newspapers, and in magazine articles I have written. My doubts have not been eradicated by the attacks made upon American destroyers in the Gulf of Tonkin. My misgivings have not been dissipated by the ominous events of the past few days. Rather, they have been intensified. Because who can say that these events are not the natural consequence of the hazards we have assumed by the policy we have adopted in this part of the world?

We had every reason to expect that some such incident might occur. It is a risk we assumed, necessarily, when we chose to intervene, following the defeat of the French, in that great peninsula which was once French Indochina—when we assumed an American responsibility for the future of this remote region of the world.

I have entertained and continue to entertain, serious misgivings about the correctness of American policy in southeast Asia. It seems to me that this policy is more the product of our own addiction to an ideological view of world affairs—an affliction which affects us as well as the Communists—rather than a policy based upon a detached and pragmatic view of our real national interests.

However, my dissent, to the extent that I hold it, and to the degree that I have

been able to define it, is not appropriate for this occasion. This is not a time to decry the policy. A country must live with the policy it adopts, whether it be wise or foolish.

We have adopted the policy. It was initiated under the Eisenhower administration, when the original decision was made for the United States to intervene actively in South Vietnam. It has been inherited and upheld by the Kennedy administration, and by the Johnson administration, in the years which have followed.

Congress shares its responsibility for that policy. If we have not formulated it, we have funded it, from year to year, with our votes. Who is there to say that we have not acquiesced in it down through the years?

So, Mr. President, we must accept the consequences of our own actions. We must now face the fact that the difficulties in which we find ourselves are our responsibility, in having chosen to pursue a course of action which exposed us to such hazards.

It is in this spirit that I approach the pending joint resolution. Under the circumstances, we must unite behind the President.

The attack upon us cannot be justified. It was an act of aggression. When this country, or its ships, or its military personnel are made targets of attack, then Congress will uphold whatever action the President takes in defense of American interests and American lives.

I shall vote for the joint resolution in the belief that President Johnson will wisely use the authority conferred by the resolution, and that he will have the same attitude toward it that he has displayed in other crises; namely, an attitude of reason, responsibility, and restraint.

I believe that President Johnson is a man of peace. I believe that he is sincerely interested in doing everything possible to keep the war from spreading, in this seething and dangerous area of the world.

At the same time, I believe that he will uphold the honor and the good name of the United States against any nation that would make itself our enemy.

Mr. President, it is with a heavy heart, with a genuine concern about the future of American policy in Asia, and with a zealous desire that we might examine all of its tenets in the days ahead, that I shall vote for the joint resolution, confident that in a time of crisis the President's hand must be upheld, and that the lives and interests of the U.S. citizens must be protected against all her enemies.

Mr. GORE. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I yield.

Mr. GORE. I wish to congratulate the Senator upon an able, candid, courageous, and eloquent address.

With him, I have attended many executive sessions of the Senate Foreign Relations Committee for the past few years in which the subject of U.S. policy and action in the Indo-chinese Peninsula was under discussion.

The able Senator has lucidly put forward his reservations and doubts. Although I have not publicly voiced my doubts, as has the Senator from Idaho, nevertheless, in the performance of the duty of a Senator to advise and consent, I have, in the executive sessions of the committee, expressed deep concern and I have raised critical questions as the Senator from Idaho will recall, about U.S. policy in Vietnam.

Perhaps I was remiss in not giving public expression to these views. But every Member of this body performs his duty as he sees it. It had been my view that I could perform best and most responsibly in executive sessions of the committee.

Now, however, when U.S. forces have been attacked repeatedly upon the high seas, as I said immediately upon the convening of the Senate after the second attack, whatever doubts one may have entertained are water over the dam. Freedom of the seas must be preserved. Aggression against our forces must be repulsed.

I compliment the Senator and associate myself with almost all the sentiments he has expressed.

To go further back, I was one of those who did not think it wise for the United States to undertake this burden after the fall of Dienbienphu. That, too, is history. We must act today in light of facts today.

I join the Senator in the conclusion he reaches in support of the joint resolution. I join him, too, in confidence that President Johnson will act with prudence, caution, and wisdom, and with the courage necessary for the eventualities that may come.

Mr. CHURCH. I thank the Senator very much for his remarks. I appreciate them more than I can say.

#### CHARTER FOR NATIONAL TROPICAL BOTANICAL GARDENS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1991) to charter by Act of Congress the National Tropical Botanical Garden, which were, on page 1, line 8, strike out "associates and"; on page 1, line 10, strike out "national" and insert "Pacific"; on page 2, line 8, after "bylaws," insert "not inconsistent with this Act,"; on page 2, line 11, before "purposes" insert "objects and"; on page 2, line 12, strike out "purposes and objects" and insert "objects and purposes"; on page 2, line 24, strike out "sciences" and insert "sciences"; on page 2, strike out line 25; on page 3, strike out line 13; on page 3, line 14, strike out "(b)" and insert "(a)"; on page 3, line 16, strike out "(c)" and insert "(b)"; on page 3, line 17, strike out "(d)" and insert "(c)"; on page 3, line 20, strike out "(e)" and insert "(d)"; on page 3, line 25, strike out "(f)" and insert "(e)"; on page 4, strike out lines 1 through 8, inclusive; on page 4, after line 8, insert:

(f) to take and hold by lease, gift, purchase, grant, devise, or bequest, or by any other method, any property, real, personal, or mixed, necessary or proper for attaining the

objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State or the District of Columbia, (1) governing the amount or kind of such property which may be held by, or (2) otherwise limiting or controlling the ownership of any such property by a corporation operating in such State or the District of Columbia;

On page 4, line 9, strike out "(h)" and insert "(g)"; on page 4, line 12, strike out "(i)" and insert "(h)"; on page 4, line 18, strike out "(j)" and insert "(i)"; on page 5, line 12, after "Sec. 6," insert "(a)"; on page 5, line 16, before "The" insert "(b)"; on page 8, line 8, after "trustees," insert "The Corporation shall also keep at its principal office a record of the names and addresses of its members entitled to vote."; on page 8, strike out line 15; on page 8, strike out lines 16 through 23, inclusive, and insert:

#### USE OF INCOME; LOANS TO OFFICERS, TRUSTEES, OR EMPLOYEES

SEC. 13.(a) No part of the income or assets of the corporation shall inure to any member, officer, or trustee, or be distributable to any such person during the life of the corporation or upon dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of reasonable compensation to officers of the corporation in amounts approved by the board of trustees of the corporation.

(b) The corporation shall not make loans to its officers, trustees, or employees. Any trustee who votes for or assents to the making of a loan to an officer, trustee, or employee of the corporation, and any officer who participates in the making of such loan, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

On page 9, strike out lines 1 through 3, inclusive; on page 9, strike out line 4; on page 9, strike out lines 5 through 8, inclusive; on page 9, after line 8, insert:

#### USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

On page 9, line 9, before "Upon" insert "Sec. 14."; on page 9, line 13, strike out "through the National Park Service"; on page 9, line 17, after "trustees" insert ", consistent with the purposes of the corporation,"; on page 10, lines 3 and 4, strike out "National" and insert "Pacific", and to amend the title so as to read: "An Act to charter by Act of Congress the Pacific Tropical Botanical Garden."

Mr. DIRKSEN. Mr. President, S. 1991 passed the Senate July 23, 1964, and on August 3, 1964, the House passed the bill with amendments. The principal effect was changing the name to the Pacific Tropical Botanical Garden, so as not to give the organization preference over other tropical botanical gardens, both public and private.

The sponsor of the Senate bill has advised the Committee on the Judiciary that he desires the Senate to concur in the amendments of the House.

On behalf of the Committee on the Judiciary, I, therefore, move that the Senate concur in the House amendments to S. 1991.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois.

The motion was agreed to.



# COMMEMORATION OF FORMER PRESIDENT HOOVER'S 90TH BIRTHDAY

Mr. DIRKSEN. Mr. President, I ask unanimous consent that an attested copy of Senate Joint Resolution 184, for the commemoration of the Honorable Herbert Hoover's 90th birthday, August 10, 1964, approved by the President of the United States on August 6, 1964, may be prepared and printed in such appropriate format and binding as the Joint Committee on Printing may direct, and that it be transmitted to the former President by the Secretary of the Senate.

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

## MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY IN SOUTH- EAST ASIA

The Senate resumed the consideration of the joint resolution (S.J. Res. 189) to promote the maintenance of international peace and security in southeast Asia.

### VICTORY AND PEACE IN SOUTHEAST ASIA

Mr. SIMPSON. Mr. President, whatever the reasons may be for some Senators opposing either the language or the purpose of the resolution before the Senate, I am sure that there can be no disagreement on one point—that party lines cease to exist on issues affecting the national security of the United States and of the free world. I rise to lend my wholehearted support to this resolution. I was heartened by the decision to strike against the naval bases from which the unprovoked attacks on our naval ships were launched. At long last perhaps here is the beginning of the initiative that has been totally lacking in our southeast Asian effort, for it is our purpose not only to "assist in defense," as the resolution states, but to assist in achieving victory against an avaricious enemy bent upon the total conquest of all of southeast Asia.

Mr. President, I support this resolution because in Vietnam there is a crisis in which politics has no part. But, let me say that I sincerely hope that the next time Soviet missiles are implanted in Cuba or the next time Cuban exiles attempt to exercise their rightful prerogatives in fighting for the freedom of what was once known as the Pearl of the Antilles the United States will act with spontaneity, enthusiasm, and force comparable to what we have done in Vietnam.

It is tragic that a response as dramatic as our destruction of naval bases upon the territory of a sovereign Asian state was not executed in our own hemisphere in October of 1962 or even earlier—in April of 1961. Had we responded then with arms as well as metaphors, we could have struck a significant blow for freedom and independence in our own hemisphere.

I support wholeheartedly the military action of this Government against the North Vietnamese naval bases, and I support this resolution in the sincere and reverent hope that it indicates an end

of our policies of indecision, vacillation, and compromise, and heralds the beginning of that measure of commitment which will forge victory from the Communist-fomented chaos of southeast Asia.

Mr. PELL. Mr. President, I support the pending resolution.

Not only is it important to stand behind our President in this time of tension, when unity is above partisan debate, but I have confidence in President Johnson's prudence and in his determination to avoid any unnecessary widening or escalation of military clashes.

I have full confidence that the President with his wide experience and his intimate knowledge today of the facts of this situation will even further strengthen our efforts toward peace as he seeks to avoid any weakening of our position and purpose.

Still, let us think ahead as we support this resolution. Ho Chi Minh's action cannot have been by error or accident. Therefore, let us practice prudence and play our hand with reason and calmness. If we over-respond, we can, by destroying installations considered vital by Communist China to her national interest, induce an outpouring of Red Chinese soldiers as happened in Korea.

In the days and weeks ahead, this current crisis may—and probably will—worsen. Let us act—and wisely. And, let us resolve here and now, today, in wisdom, and for the sake of our people and Nation, to keep this issue removed from the arena of political conflict and ambition. Rather, let us support this issue in the reasoning place of men's minds which we have helped establish for this purpose—the United Nations.

I would hope, too, that other freedom-loving Asian nations, particularly Pakistan, the Philippines, and Japan, might help us carry some of the burdens for keeping the peace in the Far East. It is also their responsibility to participate in this endeavor, which is vital to their safety and security as well. It is my hope that such a sharing of the load may also emerge from the United Nations Security Council.

This country's policy cannot, and must not, be pummeled for the sake of political gain. As an American, I urge leaders of both political parties to exert every effort to keep Vietnam out of this campaign.

I trust the people and press of the world will be aware that as the world's strongest nation and defender of freedom, we will not stand for unprovoked attack or aggression, but at the same time be aware we do not seek material or territorial gain. We only desire freedom, for ourselves, and for peoples of other nations.

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

The PRESIDING OFFICER. Will the Senator withdraw that request?

Mr. MORSE. I shall withdraw it on the condition that the Senator from Kentucky [Mr. COOPER] asks for a quorum call at the close of his remarks, unless I am back on the floor.

Mr. COOPER. That is agreeable.

Mr. MORSE. Mr. President, I withdraw the request for a quorum call.

Mr. COOPER. Mr. President, I appreciate the courtesy of the Senator from Oregon.

A few moments ago I directed several questions to the chairman of the Foreign Relations Committee, and I spoke briefly on the joint resolution. I wish now to raise some considerations which I know have addressed themselves to the President of the United States, but which we have the duty, in this debate, to convey to the President of the United States.

I intend to vote for the joint resolution. I shall vote for it not merely because we are required to do so because of recent events. I shall vote for it because it expresses the unity of one purpose to defend our country.

The first section of the resolution supports the President and approves his determination to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression. That is his right and authority. If we have any power to confirm it, we do confirm it. We support him in his power to protect the security of our country and its honor. I join other Senators wholeheartedly in asserting our support of the President.

Earlier, I raised questions about the second section of the joint resolution, although I know it is practically impossible to separate the objectives of the first section from those of the second section. In response to my questions, the distinguished chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], and I believe, the chairman of the Armed Services Committee, the Senator from Georgia [Mr. RUSSELL], confirmed my viewpoint that in passing this joint resolution we would satisfy the conditions of the SEATO treaty, and would exercise our constitutional function to give the President of the United States authority to do what he determines may be proper and necessary with respect to any situation which affects our security in South Vietnam.

I believe that is the essence of the second section. At least that was the meaning and interpretation given to it by the chairman of the Foreign Relations Committee.

There is no choice so far as the first section of the joint resolution is concerned. If there is any attack upon our troops, our vessels, or our installations, we have the duty, for our security and our honor, to defend our own forces.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. COOPER. I am glad to yield.

Mr. MORSE. I am not sure I understand the meaning of the Senator's comment on the SEATO treaty. Is the Senator arguing that the SEATO treaty gives us the authority to do what we have done in South Vietnam?

Mr. COOPER. No. What I said is that article IV of the SEATO treaty provides that in the event of an armed attack upon one of the parties to the SEATO treaty, or upon the countries such as South Vietnam included in the protocol, the United States, or any party

to the treaty, could take action after resorting to its constitutional processes—which I would assume would mean coming to the Congress for authority.

Earlier today I asked the chairman of the Foreign Relations Committee and the chairman of the Armed Services Committee whether they considered that, by enacting the resolution, the Congress would be exercising its constitutional process, providing to the President power to take such action as he determined proper in South Vietnam in the future?

Mr. MORSE. I shall not interrupt the Senator further. I shall discuss the point in detail later. I only wish the Senator to know that, in my opinion, we have violated the United Nations Charter time and time again in South Vietnam, and that we cannot justify it on the basis of carrying out the SEATO treaty.

Mr. COOPER. A few minutes ago, the Senator from Mississippi [Mr. STENNIS] said that the situation is not simple. We are in a crisis.

I hope that this joint resolution, connected with the resolute action the President has taken, will have effect in bringing the North Vietnamese and the Communist Chinese to their senses, and that they will know that to continue to take aggressive measures could lead to consequences which can hardly be contemplated. And we must know for ourselves the extent of the determinations we are making. Whether we dislike saying it—and there is a tendency to dislike making the statement—it must be said that there is great danger in the situation. The two attacks upon our destroyers indicate a system in the action of North Vietnam or the Communist Chinese.

We remember that, during the early days of the Korean war, the threats of Communist China were not believed—but they were carried out. We must contemplate, hoping that it will not be true, the possibility of an expanded war. And with an expanded war, which again we hope will not occur, there is the possibility of a great war.

I make this statement because the President has, with respect to our action in South Vietnam, a certain maneuverability, and avenues of negotiation which should be assiduously used, however they may be received.

I have confidence in President Johnson. I know that he is a man of good judgment. I know that he speaks truly when he says it is not our intention to expand the war except as it would be in our own defense. And I know that he is a man of peace. But I hope very much that he will continue to make every effort to find, if it is possible, some solution for the situation in South Vietnam, without the choice of war.

I may not be joined by others in the statement I am about to make, but I have not believed that southeast Asia is the chief area of interest to the United States. We are committed in Europe and believe our chief interest is in the Western Hemisphere and Europe. In the Pacific we are committed to the defense of Formosa, Korea, Japan, and the Philippines. I do not know how widely we

can spread our resources and our men in the military forces. It may be argued that this decision has been made, because for 10 years we have been on the present course, in South Vietnam. But I shall still emphasize my hope that the President of the United States will use all of the great powers of his office and of our country to find some peaceful and just solution in South Vietnam, slender as the chance may be.

The Senator from Oregon has argued the subject for months; I have spoken on it. There is still the possibility of reference to the United Nations. There is still the possibility of action through the Geneva powers; and these courses must not be overlooked.

Like many other Senators, I have had some experience in war, an experience which I value above all others. Anyone who has had such experience knows, awesome as it is, that it does not make one less afraid or less courageous. It makes one determined to protect the security and honor of his country. But it makes one also more determined and more thoughtful about seeking out every honorable and just course to avoid the possibility of a great war, and the awful eventuality of a nuclear war with all the sorrow and disaster it would bring to our country and humanity.

I am hopeful that the joint resolution and the President's action will bring reason to the North Vietnamese and the Communist Chinese, and that they will cease their aggressions. But I state my conviction that the President and the Congress have the responsibility to continue to work for ways, consonant with our honor and security, to avoid the great catastrophe of war. If we cannot do so, we stand together to defend, at whatever cost, our country and freedom.

Mr. JAVITS. Mr. President, I should like to support the position just enunciated, with his usual heart and humanity, as well as wisdom, by my colleague from Kentucky. I rise not necessarily because he needs any support. His word is strong enough in this Chamber and in the world. I rise only because the discussion ties in so closely with the questioning of the Senator from Arkansas on the real meaning and implication of the Southeast Asia Collective Defense Treaty. We who support the joint resolution do so with full knowledge of its seriousness and with the understanding that we are voting a resolution which means life or the loss of it for who knows how many hundreds or thousands? Who knows what destruction and despair this action may bring in the name of freedom? I hope we shall be very sober in our judgment, as befits the great historic tradition of this body.

We have a right to expect from the President of the United States, who will receive this great grant of confidence, which I am sure the Senate will give by an overwhelming vote, and from the Foreign Relations Committee, which has direct charge of these matters in this body, as vigorous a diplomatic effort as we are authorizing in the other field. We have every right to believe that the nations in the SEATO treaty have interests in this region as great as ours. They may

not be able to muster the military power we can, but they certainly can muster some help which will give them a sense of participation. We know they can muster great moral strength. There is a great population in that area. Pakistan has a population of more than 100 million. India, though in dire trouble, is still the counterweight to Communist China. She has a profound interest in what happens in that area. Indonesia, Malaysia, and Thailand have considerable influence. All those strengths must be mustered, in a physical and moral sense. The same is true of France, Great Britain, and others.

I thoroughly agree with the Senator from Oregon [Mr. MORSE] as to the moral strength—although I do not agree with him as to what we have to do in this situation—that must be mustered by the United States, constantly and continuously, to appeal to the conscience of the world, in order to give the world an opportunity to bring about a sense of justice and morality, and an opportunity to act in its own freedom.

In fundamental aspect, the prize that the Chinese Communists are seeking is the possession of the great arsenal of production in Asia, including Japan. The aim of Communist China in respect of Japan is parallel to that which the Soviet Union, in its worst Stalinist days, had toward Germany. They seek a ready-made arsenal in order to develop it quickly—

Mr. LAUSCHE. Mr. President, will the Senator yield? Will he repeat what he just said? I think it is important.

Mr. JAVITS. I thank the Senator. The objective of the Chinese Communists is the great arsenal of production which is Japan, just as the objective of the Soviet Union in its Stalinist days—and probably still is—was the great arsenal of production which was Germany. They are the main bases which the Communists are seeking to capture.

We must understand the deep feeling of every American and every American family on this question. I have already received in my office, as I am sure all other Senators have, numerous telegrams since yesterday on this subject. I was awakened three times between 12 o'clock and 3 in the morning—and I do not complain; I understand the feelings of the families involved—by people in New York telling me how deeply concerned they were and with what prayer and devotion I must determine how to act on the joint resolution.

For those people we have a pledge to use every instrument of diplomacy, as we are willing to use every element of force, necessary to preserve freedom.

We have also another pledge. The Senator from Kentucky [Mr. COOPER] said it was expected that these means should be used with the greatest moderation and understanding of the vital issue with which we are dealing.

Also, and finally, we have the sad duty which generals have in war, of comparing the number of casualties we are willing to endure in order to achieve an objective which will save even greater casualties. Does anyone think that President Truman had an easy decision



to make about dropping the bomb on Hiroshima? Yet history records that a million or more lives were saved, devastating as the dropping of that bomb was.

These are dread decisions which great powers must make. They must make them with morality, and with a willingness to walk the extra 10 miles—to paraphrase President Eisenhower—and consider every avenue that means an "out," even if we have to swallow a little pride, in dedicating ourselves to using every means of diplomacy and persuasion on the people of the world, while they have yet time to exercise a choice.

I hope the joint resolution will be administered in that spirit by the President and by the Foreign Relations Committee, which also bears a heavy responsibility as the trustee of all of us here.

It is under those conditions that I shall, with deep knowledge and notice of what I am doing, cast my vote for the joint resolution.

Mr. LAUSCHE. Mr. President, I wish to make some comments with respect to what was said by the Senator from New York dealing with what we obligate ourselves to do by this resolution. Earlier today the Senator from New York made some inquiries on this subject. Other inquiries have been made by other Senators.

Under the first section of the resolution, we commit ourselves and authorize the Commander in Chief to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

In other words, under the first section, we contemplate that our Government shall repel any armed attack against the forces of the United States and will take such action as is necessary to prevent further aggression.

Section 2 has been rather widely discussed this afternoon. I wish at this time to call attention to certain articles of that section. It deals solely with the Southeast Asia Collective Defense Treaty, SEATO. It empowers the President to determine, limited by the authority of SEATO, what action we shall take in protecting the rights of the members of SEATO. Our obligations under SEATO are divided into two parts.

Part I, in substance, declares that the Government of the United States will join in the protection of its fellow members against any aggression. I wish to emphasize that under the first part of article IV of the SEATO Treaty our Government is only obligated to lend its military forces in instances in which our allies are attacked and such attack endangers the security of our country. I wish to read the first part of article IV, which is applicable to the statements which I have thus far made:

Each party—

That means each party that has subscribed to the SEATO Treaty—recognizes that aggression—

I emphasize the word "aggression"—by means of armed attack in the treaty area against any of the parties or against any State or Territory which the parties by unanimous agreement may hereinafter des-

ignate, would endanger its own peace and safety, and agrees that it will in that event—

The question is, What event? The answer is in the event of attack and that in addition thereto it endangers the security of the United States of America, our country will—

act to meet the common danger in conformity with its constitutional processes.

Under article IV of SEATO we are obligated only to give military help to our allied members of SEATO when they are attacked from without. We are not obligated to give them help if they attack nations which are not members of SEATO.

The first half of article IV makes it abundantly clear that under the SEATO Treaty our Government is not obligated to come to the aid of any country unless that country, a member of SEATO, has been attacked by an enemy and that attack endangers our security. Probably I ought to add that the treaty makes it conditional that the countries which attack, and upon which we are allowed to impose our military strength, are Communist countries.

Now we come to the second half of article IV of the SEATO Treaty. The second half deals with no attack upon members. It deals with conduct that does not constitute an attack but which endangers the security of the member countries.

I read the provisions of the second half of article IV:

If, in the opinion of any of the parties, the inviolability or the integrity of the territory or sovereignty or political independence of any party in the treaty area or of any other State or territory to which the provisions of paragraph 1 of this article from time to time apply, is threatened—

I wish to repeat that—

is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the parties shall consult immediately in order to agree on measures which should be taken for the common defense.

The second half of this article, dealing with our obligations, provides, in effect, that if one of our allies is not attacked, but is subjected to threats and conduct that endanger the security of the country and ourselves, we do not have the obligation to impose our Armed Forces in order to secure a settlement of that threat.

In the second instance, our obligation is only to sit down with the members and consult. We say to the members in that consultation: "None of us has been attacked. Therefore, there is no obligation to impose our arms according to our constitutional processes." In effect, it is further stated that, though we have not been attacked, the practices and the activities to which we have been subjected are a danger to the security of the individual and the composite countries.

In the second half of the section, the members are obligated to consult and determine what the course shall be.

Now I get down to what I term to be the significant aspect of section 2 of the

resolution. To the President, Congress assigns the rights that are vested in Congress itself. In the event there is an attack upon an allied country, the United States is obligated to come to its aid against that attack (provided such an attack in the opinion of the United States endangers the security of the United States). In the event there is no attack, we have no obligation whatsoever, except the obligation to consult. I have discussed this aspect of the problem, because today a number of Senators asked questions implying that it was their belief that if South Vietnam attacked North Vietnam, under the SEATO treaty we were obligated to give South Vietnam help. That is not true. We are not obligated at all. We are obligated only when an attack has been made by North Vietnam on South Vietnam. That attack must be in an offensive and, of course, belligerent nature.

I ask unanimous consent that articles IV and the second part of article XI be made a part of the Record.

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

#### ARTICLE IV

1. Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

2. If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the treaty area or of any other State or territory to which the provisions of paragraph 1 of this Article from time to time apply is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense.

3. It is understood that no action on the territory of any State designated by unanimous agreement under paragraph 1 of this Article or on any territory so designated shall be taken except at the invitation or with the consent of the government concerned.

#### UNDERSTANDING OF THE UNITED STATES OF AMERICA

The United States of America in executing the present Treaty does so with the understanding that its recognition of the effect of aggression and armed attack and its agreement with reference thereto in Article IV, paragraph 1, apply only to communist aggression but affirms that in the event of other aggression or armed attack it will consult under the provisions of Article IV, paragraph 2.

Mr. LAUSCHE. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. RANDOLPH. Mr. President, there is no reluctance and no reservation in my support for the pending resolution. The President of the United States has acted with firmness and wisdom. The course of action followed—and apparently decreed for the immediate future as well—has the merit also of embracing directness and objectivity without involving the danger of unlimited hostile activity. There should be maximum unity within the Government on this issue—and this degree of unity is as incumbent on the Congress as on the executive branch.

I believe the President was right in requesting that there be an emphasis in the resolution—indeed, an expressed determination that “all necessary measures” be taken. In effect, congressional authority for future military action in southeast Asia would be delegated to the President—and properly so—by this resolution.

Columnist David Lawrence calls attention today to U.S. Ambassador Adlai Stevenson's speech in the United Nations Security Council yesterday in which he said the attacks on the U.S. Navy vessels in international waters of the Tonkin Gulf were “part of a larger pattern with a larger purpose.”

And, as the New York Times this morning declared editorially:

“The lines have hardened. A highly dangerous period has opened. It is a time that calls for coolness as well as determination, for restraint as well as firmness.”

Although we can suspect, as Ambassador Stevenson indicated, that the attacks were part of a larger pattern with a larger purpose, I agree with the Times' further editorial comment.

“We still have no real idea of what prompted the North Vietnamese to launch their potentially suicidal adventure. The Nation's united confidence in its Chief Executive is vital. No one else can play the hand. That confidence will be best maintained by a continued adherence to the principles the President himself has enunciated of firmness, but a firmness that will always be measured—a firmness whose mission is peace.”

Mr. THURMOND. Mr. President, I rise in support of the resolution which is the pending business before this body.

It is not the United States of America which is the aggressor in southeast Asia. The Communist aggressors launched the attack on U.S. Navy forces in the Bay of Tonkin, and they are the aggressors in Laos and in Vietnam. The United States had no alternative but to retaliate against the unwarranted and unprovoked attack by North Vietnamese on U.S. destroyers.

It is fitting that the Congress express its approval and its support of the determination of the President to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

Mr. President, the approval and support which the Congress now expresses for the President to take necessary

measures to repel any armed attack against the forces of the United States is not new. This authority the President now has, and, indeed, he has been exercising this authority as well as the authority to assist our southeast Asian allies to repel armed attacks against their nations and their armed forces.

The resolution which we are considering today does approve a new element which has not, prior to this week, been exercised, and that is the taking of all necessary measures to prevent further aggression. I sincerely hope that the President will take all necessary measures to prevent further aggression, not only against our own military forces, but also to prevent further aggression against our southeast Asian allies. If he does so, it will mean that we are at last abandoning our purely defensive posture in favor of a “win policy” in the war which the Communist aggressors have initiated and are continuing.

It is imperative that victory, not stalemate, be our objective in dealing with Communist aggression in southeast Asia.

Mr. HUMPHREY. Mr. President, I wish to state my support of the joint resolution before the Senate, Senate Joint Resolution 189. I know that this matter is of serious consequence, but I also know that the precedent of a joint resolution to promote the maintenance of international peace and security is well established. I well recall, as I am sure other Senators have in the debate, that in the instance of the Formosa crisis, and in the instance of the Middle East crisis, Congress joined the President in a statement of national security policy relating to our national security interests in those areas. The joint resolution before us follows very much the same guidelines and the same form as the other resolutions to which I have referred.

It is my view that the President has the authority under the Constitution to order the Armed Forces of the United States to protect the vital interests of this country whenever those interests are threatened. In other words, the President was acting fully within his authority when orders were given to the destroyer *Maddox* to repel the PT boat attack from the North Vietnamese.

The President, as Commander in Chief, not only has the authority under the Constitution to use the Armed Forces of the United States for the protection of our freedom and security; he has the duty to do so. In the day and age in which we are living, attacks upon our country often come swiftly. They frequently come at a time and a place in which only a swift response will achieve the purpose of the action. Delayed response would be of no avail.

We live at a time when communications make it possible for an enemy to strike serious blows at our country and to adversely affect our vital interests, and to do it so rapidly and so decisively that unless we can respond quickly, we shall suffer defeat before we even have an opportunity to evaluate what has happened.

So I believe that President Lyndon B. Johnson, in ordering our aircraft to destroy certain facilities of the North Viet-

namese regime, facilities which have been used to harass American shipping and to attack units of the American fleet, did what he should have done. He is to be commended for having done it, and is to be respected for the manner in which he took this decision action.

The joint resolution now before the Senate, in the “whereas” clauses, states the facts. It reads:

Whereas naval units of the Communist regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace; and

Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom; and

Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military, or political ambitions in that area, but desires only that these peoples should be left in peace to work out their own destinies in their own way: Now, therefore, be it

All those statements in the “whereas” clauses are facts—known facts of foreign policy and known facts of international life.

This Nation has an obligation to fulfill its treaty responsibilities. This Nation, as a leader of peoples in the free world and of free nations in the world, has the responsibility of assuming the heavy burdens of leadership, which at times includes the defense of helpless people, the defense of defenseless people.

Therefore, Mr. President, (Mr. Brewster in the chair), the joint resolution before the Senate makes note of the fact “that the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.”

I do not believe that anyone would disagree that such measures are necessary.

Surely, we cannot permit an unprovoked attack upon the forces of the United States without response. Surely, the Congress would not condone a pattern of international conduct that would deny the fleet of the United States the use of international waters. It is a part of our national history and our national heritage to support freedom of the seas—from the time of George Washington, through the administration of Thomas Jefferson and the incidents with the Barbary pirates, up to this very hour. As a great maritime power, we must insist upon a strict application of international law, insofar as the high seas and international waters are concerned.

Therefore, the attack which was made upon our vessels had to be repulsed; and in repulsing that attack it was essential that the particular facilities in the haven from whence the attack took place should be destroyed.

The second section of the resolution recites once again what has been the



policy of this Nation since 1954, insofar as southeast Asia is concerned.

It states very directly and simply for all to understand:

The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia.

We are signatories to the SEATO treaty. The South Vietnamese Government—the government of a free country—has asked for our assistance. We have a mutual assistance pact with them. We have given assurances, since the days of the Eisenhower administration, through the Kennedy administration, and now into the Johnson administration, that the obligations of the mutual assistance agreement will be fulfilled.

It is my view that the minute we back away from commitments we have made in the defense of freedom, where the Communist powers are guilty of outright subversion and aggression, on that day the strength, the freedom and the honor of the United States starts to be eroded.

I remember a Senator once saying in this Chamber that he doubted very much whether the Communist nations intended to blow the world to pieces; that he thought possibly they intended to pick it up piece by piece.

The more I think of that expression, the more truth there seems to be in it.

The aggressor seeks to bite off piece by piece the areas of freedom. They seek to do it through terror, subversion, and persistent aggression.

We have seen this happen in our own hemisphere. We have watched, for example, how the Castro Communist regime in Cuba used every conceivable means to destroy the free government of Venezuela through subversion, terrorism, assassination, propaganda—every conceivable method, military, economic, and political.

I am of the opinion that what is going on in southeast Asia is a persistent attack on the part of the Communist forces to nibble away at certain areas in southeast Asia which we can call free and independent, to take them one by one—this would include Laos, Cambodia, Vietnam, in the southeast Asia peninsula.

Let us not forget for a single moment that only a few months ago an international agreement was arrived at in reference to the country of Laos, and a man by the name of Souvanna Phouma, who was a neutralist, was elected as the Premier. I can recall when Souvanna Phouma was looked upon as less than desirable to the Government of the United States. But he is the Premier of Laos, and he is attempting to keep the obligations and to fulfill the commitments of the international agreement. All the forces in that little country were supposed to have come together and were supposed to follow the commitments and the terms of the agreement—the rightist forces, the neutralist forces, and the Pathet Lao.

What has happened?

The Pathet Lao, the Communist forces, have waged a relentless attack upon the established regime. Were it not for the Government of the United

States resisting, were it not for the Government of the United States attempting to maintain the strength of the established regime and government of Souvanna Phouma, Laos today would be only another Communist-bloc country.

I do not believe that we show any love of peace by letting the Communists take the world over piece by piece. We show no love of peace by permitting unprovoked and unadulterated aggression to take place against friendly and peace-loving nations, or against the Armed Forces of the United States.

What this joint resolution does is to place the elected representatives of the American people in Congress assembled on record as supporting the actions of the Commander in Chief in defense of American sovereignty, in defense of American Armed Forces, and in fulfillment of our treaty obligations and commitments.

A great power must be an honorable power. A great nation must be willing at times to make great and difficult decisions. I would be the last to say that this decision did not have within it the possibilities of even greater troubles ahead. But I do not believe that we can duck these troubles. I do not believe that we can avoid them by pretending they are not there.

I do not believe, if the fleet had been withdrawn from Tonkin Bay area where it was attacked, that it would have made the Chinese any more peaceful, or the North Vietnamese any more considerate of the legitimate rights of the people of South Vietnam. On the contrary, I believe that were we to have withdrawn, or had we pretended it was nothing more than a little incident, all it would have done would have been to feed the beast of aggression. North Vietnam, in concert with the Communist Chinese regime, would have continued to build up its airfields, its depots, its supply lines, and its bases.

So we did what we had to do.

Mr. CHURCH. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. CHURCH. Would not the Senator agree with me that there is a proper time to question the merits of a national policy, whether it be in southeast Asia or anywhere else in the world? One of the functions of the Senate is to keep our foreign policy under continuing surveillance.

There is a time to question the route of the flag, and there is a time to rally around it, lest it be routed. This is the time for the latter course, and in our pursuit of it, a time for all of us to unify.

Mr. HUMPHREY. Mr. President, the Senator from Idaho, in his usual and brilliant manner, has stated the case precisely and succinctly. There is not only a time, but there is an obligation on the part of Members of this body to question policy, to express concern if we have a doubt, or to express approval. That is what the Senate of the United States is for. That is why we have the committee structure. That is why we have committee hearings and testimony. There is a time when we can get up and

say that the policy ought to go in another direction, and suggest alternatives. And Senators have done so.

But there comes a time when the aggressor may feel that because of our discussions, we are disunited, and he then could launch an attack.

The power that we have today is to be used for the cause of peace and justice. The power that the American people have in their great military establishment is to help other people as well as ourselves in their pursuit of freedom and in their pursuit of national independence and national dignity.

I believe that we are using it for this purpose. I commend the President of the United States, not only the present President, but the others—the late beloved President Kennedy, and former President General Eisenhower—not only because they were at times willing to use the power, but also because they had the moral character to restrain the use of power that was in their hands when that restraint was necessary.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. CARLSON. Mr. President, the Senator from Idaho [Mr. Church] has just made a statement. I think I would be less than frank if I did not state, as a member of the Committee on Foreign Relations, that I had several times questioned the policy of this country in southeast Asia.

It seems to me that that time has passed. It seems to me that the President has a responsibility, and that Congress has the duty to insist that our Nation's rights of protection on the high seas be observed, that none of our vessels are fired on, and, that we defend ourselves by retaliatory action.

It seems to me that indealing with international problems, we must show firmness. We must show strength. For that reason, I support the President's decision in this matter. I shall vote for the resolution.

I had hoped that there would have been some way that we could have arrived at an arrangement in southeast Asia without continually seeming to be escalating the war.

I have watched the progression of this situation for about 10 years. I know that every other member of the Committee on Foreign Relations has, too. It has concerned me greatly. It seems that we take step after step that involves us in a situation from which it is most difficult to extricate ourselves, even by conferences in the United Nations, or meetings in any other area of the country that we might select.

I associate myself with the remarks of the Senator from Idaho. We have reached a place where we have not only to support the President, because he has the responsibility, but we have a duty and a privilege today, and we should exercise it.

Mr. HUMPHREY. Mr. President, I thank the Senator from Kansas. Lest I be misunderstood, I, too, on occasion have expressed concern over certain aspects of our policy in southeast Asia. I have tried to make at times what I

thought were constructive suggestions to modify, to complement, or strengthen that policy.

I believe that this must be done. Our objective must be made crystal clear. Government is not attempting to accelerate a conflict. Our objective is to achieve stability in the area so that we can then go to the conference table. But we ought to make it clear to the world that we do not intend to sit at the conference table with a Communist gun at our heads.

We do not intend to sit at the conference table while the Communist forces continue acts of aggression against ourselves or against our allies. The Communists must learn sometime that the United States of America and other nations associated with it are not going to be blackmailed by Communist subversion, Communist aggression, and Communist power tactics. They must learn that we are perfectly willing to assume the role at the conference table of negotiation and diplomacy, but only under circumstances in which there is a respect for law and order, and in which there is a respect for national sovereignty.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. SPARKMAN. I think we can all subscribe to the views expressed by the Senator from Idaho [Mr. CHURCH] as affirmed by the Senator from Kansas [Mr. CARLSON]. Of course, we are not supposed merely to take things without questioning. The thought occurred to me that down in the Foreign Relations Committee, where we meet so often, we exercise the power of questioning.

When we have briefings and conferences, the individual members of the committee express themselves and ask questions. Most of the time we gain a pretty fair understanding among ourselves and the representatives of the State Department, the executive department, and the military who come before us. I do not know of any problem that has been considered more frequently and more vigorously than the problem of southeast Asia, not merely Vietnam, but also Laos, Cambodia, Thailand, and the entire area of southeast Asia, but particularly the Indochina states.

It has not been one that we merely accepted. Some of the thoughts that have been exchanged in the Foreign Relations Committee have been helpful to the State Department and the Defense Department in trying to meet the problems. I fully agree with the Senator from Kansas that this is a responsibility of the President. When President Eisenhower proposed, in 1953, the Formosa Straits resolution, I spoke on the floor of the Senate regarding that resolution. At that time I said that the resolution was not necessary, that the President had full power and authority to pronounce this policy and to carry it out. I related it back to the Truman doctrine in the Greece-Turkey situation in 1947. The Senator will remember that President Truman came before Congress and said, "This is what I have

done. This is the program. I wish you to appropriate the money to carry it out."

I have always felt that the President had such power. However, I supported President Eisenhower's resolution on the Formosa Straits issue, and I supported the resolution on the issue involving the Near East, because the President made it clear, as is made clear at the present time, that what he wanted was a show of unification on the part of the country. Such an expression is provided in the joint resolution before the Senate. It is inherent in it, and it certainly has been in the expressions of the President.

There is one provision in the joint resolution which particularly pleases me, and it follows up closely the resolution relating to the Formosa Straits, the Near East resolution proposed by President Eisenhower, and the Cuban resolution proposed by President Kennedy. It recognizes the power of the President to do these things in defense of our country on the high seas. But it calls for support from the Congress and from the people of the United States. For that reason I believe it is a good resolution, and I think it fully complies with the requirements that all of us would expect.

Mr. HUMPHREY. I say to the Senator from Alabama that the analysis of the joint resolution and the work of the Foreign Relations Committee, not only at times in the offering of such resolutions or in passing upon them, is exactly my understanding of the constitutional powers of the President and the reason for this type of joint resolution. The President does have the power. The joint resolution in no way would weaken his constitutional prerogatives or powers, but it would place behind the President, as a demonstration to the American people, and to the world the fact that the Congress of the United States, representing the people of the United States, supports the action that has been taken. Indeed it not only supports it but, is strongly behind it.

I think that is very important. I call to the attention of the Senate the fact that the Communists have a way throughout history of engaging in aggressive attacks during our election years.

They have some sort of feeling that possibly the country is disunited. One of the most revealing experiences each time is how, regardless of party preference or individual views, the American Congress and the people of our country unite. That has been true in the present instance. The President of the United States consulted and spoke with members of both parties who were called to the White House. Officials of the Government have been to the Congress. The President of the United States was in contact with the standard bearer of the Republican Party. All united in support of the action that was taken and the joint resolution.

Mr. SPARKMAN. It is a mobilization of the strength of democracy.

Mr. HUMPHREY. Mr. President, I should like to yield to the Senator from Montana.

#### ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns tonight, it adjourn to meet at 10 a.m. tomorrow.

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

#### MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY IN SOUTHEAST ASIA

The Senate resumed the consideration of the joint resolution (S.J. Res. 189) to promote the maintenance of international peace and security in southeast Asia.

##### ORDER FOR LIMITATION OF DEBATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation of 3 hours on the pending joint resolution, 2 hours to be given to the Senator from Oregon [Mr. MORSE], and 1 hour to be divided between the majority leader and the minority leader, and that a vote on the joint resolution occur at 1 o'clock tomorrow afternoon.

I ask unanimous consent that the provisions of rule XII, clause 3, requiring a quorum call, be waived.

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

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

##### UNANIMOUS-CONSENT AGREEMENT

Ordered, That effective at 10 a.m. on Friday, August 7, 1964, debate on the joint resolution (S.J. Res. 189) to promote the maintenance of international peace and security in southeast Asia shall be limited to 3 hours, of which 2 hours shall be allocated to the Senator from Oregon [Mr. MORSE], and 1 hour to the majority and minority leaders, and that a vote on the passage of the said joint resolution shall be taken at the hour of 1 p.m. on said day, August 7, 1964.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Alaska.

Mr. BARTLETT. I have had deep doubts about the wisdom of our policy in Indochina, with particular reference to Vietnam. I have expressed those doubts many times on the floor of the Senate and elsewhere.

I have feared that there might be an escalation of the war, but I never dreamed that its possibility would come from such causes as have been noted during the past several days.

Mr. President, it has seemed to me that the basic need—that of inspiring the people of South Vietnam to fight for their freedom, to bring into being a government of stability, a government that would be free of Communist influence—has been too often lacking, despite the massive help that we have given in that far-off land.

The distance between the United States and southeast Asia has been one of the basic difficulties we have encountered. It has been said repeatedly that that part of the world is vital to our national security. There can be doubt on



that point. I have never felt, since the proposal was advanced by President de Gaulle, that the war in southeast Asia should be negotiated was worthy of derivation from us or from anyone else. I thought that the proposal should be considered carefully. I believed that, and I have had no reason to change that view, that in the long run the only satisfactory one of concluding what is a desperate situation, not only for the South Vietnamese, but also for us could be arrived at around the conference table. But it has been apparent from the start—so far as I was concerned at least—that we should not go to the negotiating table from a stance of weakness. We must, first, set up a system there through military strength, through desire on the part of the South Vietnamese themselves, where negotiations might be conducted on a basis of equality.

But whatever my views or the views of others on this sorry situation may have been, the fact remains that they now must be considered in the light of what has happened this week. For me there will be no difficulty in voting for the joint resolution which is now being considered by the Senate. All Americans must unite behind their President and behind their Government in the hope, as the President has so frequently expressed during the past few days, that there will be no further developments in the war, that the strikes which we have made, after acts of aggression have been committed against us, will constitute a sufficient warning, and that even now, in this hour of crisis, the dangers will be resolved, and that at a date not too far distant, peace may be restored to those unhappy lands.

Meanwhile, it is my intention to vote tomorrow for the joint resolution.

For me, there is no alternative.

I wish we had never committed ourselves to the course of action upon which we embarked several years ago. But we did. And now we have been attacked. Our honor, our integrity, our vital interests are assuredly now at issue. We can do but one thing as I see it—united behind the President.

Mr. HUMPHREY. Mr. President, I thank the Senator from Alaska for his comments. I conclude by saying that the Senator from Minnesota will vote for the joint resolution.

I invite the attention of our countrymen to the fact that the desire of the Government is for peace with justice; the desire of the Government is for the cessation of hostilities in any part of the world; the desire of the Government is not to extend or to expand the struggle or the war in southeast Asia; the desire of the Government is to have nations live by their commitments, their treaty obligations, and to respect the sovereignty and independence of the nations in that area. This Government has as its objective the fulfillment of its treaty obligations; and our action in southeast Asia is directed toward that purpose.

I commend the President and hope that the joint resolution will be overwhelmingly supported.

Mr. BYRD of West Virginia. Mr. President, I rise to support the joint resolution

to promote the maintenance of international peace and security in southeast Asia. The deliberate and unprovoked military attacks by the North Vietnamese upon our naval vessels created a situation in which the President was forced to take immediate and firm action. The action was taken, and all Americans can be proud of the firmness which our military forces have displayed. It has been a firmness, without giving the appearance of being tough, and I feel that the exercise of restraint, in the use of the overwhelming power which we possess in the area immediately affected, has created a very favorable impression throughout the free world.

While the initial incident appeared at first to be an isolated event, subsequent aggressive action by the North Vietnamese indicated that the attacks were planned and carried out for purposes concerning which we are not fully aware even at this moment. For the United States to have vacillated or hesitated would have encouraged further acts of aggression, and, in my judgment, we had only one course to pursue in the upholding of our country's honor and in the protection of its immediate and long-term security. That course was taken. We should be under no illusions as to the grave consequences which may follow in the train of events which have recently transpired. We may be confronted with an escalating Vietnamese war, and the danger of deeper U.S. involvement must be faced up to. We know not what lies ahead. We do not know what the next Red move may be, but we can hope that the resoluteness and determination which have already been displayed by our Commander in Chief and our military forces will duly impress the North Vietnamese and Red China and indeed the Soviet Union, and that the Communist regimes in those countries will not dare to discount the danger to world peace involved in further provocative behavior.

The people of America share with other freedom-loving nations the fervent hope that reason will prevail and that peace can be restored in the Far East. Nonetheless, the unity and determination of the American people, through their representatives in Congress, should be manifested in terms which are certain and clear. It is imperative that the resolution be adopted unanimously and with promptitude. As a member of the Senate Committee on Armed Services, I voted this morning to favorably report the resolution, and I am now ready to support its adoption by the Senate. Our country is not interested in the plunder of aggrandizement, but our country is bound to resist every peril to our security and the security of the free world. Action, not words, should be the order of the day.

Mr. MORSE. Mr. President, as the record of the Senate already shows, the majority leader and I had a conference a few moments ago, in which a unanimous-consent agreement was reached that the Senate would resume tomorrow morning at 10 o'clock, that we would vote at 1 o'clock tomorrow afternoon, that the senior Senator from Oregon

would be allowed 2 hours of that time, and that the other hour would be divided equally between the majority and minority leaders.

I shall make my major rebuttal speech at that time, but for just a few moments tonight there are certain facts I want to put into the Record, so that they will be in the Record tomorrow.

Yesterday I made a major speech in opposition to the pending resolution. I now incorporate that speech by reference and stand on every word I uttered.

In that speech I said the United States was a provocateur, along with South Vietnam, North Vietnam, Red China, and the Pathet Lao in Laos, and possibly on some occasions Cambodia, and that the United States must assume and be charged with its share of responsibility for a series of provocations that have led to the crisis which now exists in southeast Asia.

I repeat it tonight. I am satisfied that there is no question about it.

Mr. President, we have stood in violation of the United Nations Charter for years in South Vietnam. Even the neutral commission composed of representatives from India, Canada, and Poland found North Vietnam and South Vietnam in violation of the articles of the Geneva accords. The South Vietnam violation was due to the military operations of the United States in South Vietnam. That is our provocation.

As will be seen before I finish these brief remarks tonight, we have not reported our military buildup in South Vietnam to the United Nations under article 51, which is a clear treaty obligation of the United States. We have never done it, Mr. President.

So the senior Senator from Oregon does not modify in one iota his charge that contrary to its treaty obligations, the United States has been a provocateur in southeast Asia along with South Vietnam, North Vietnam, Red China, the Pathet Lao in Laos, and possibly Cambodia.

No one can possibly justify the attack on American ships in Tonkin Bay off North Vietnam. The senior Senator from Oregon, from the very beginning, has been highly critical of it and has condemned it.

As in domestic criminal law, crimes are committed, but they are sometimes committed under provocation. The provocation is taken into account by a wise judge in imposing sentence.

Some provocative factors were involved, which I mentioned yesterday, but I want to mention them again tonight for the Record. On Friday July 31, South Vietnamese naval vessels—not junks but armed vessels of the PT boat type made available to South Vietnam by way of our aid program—had bombed two North Vietnamese islands. One island is approximately 3 miles and one approximately 5 miles from the main coast of North Vietnam.

As I made clear this morning in the committee meeting, the United States did not act in a vacuum with respect to that bombing. The United States knew that the bombing was going to take place. The United States has been in close ad-

visory relationship with the military dictatorship we have been supporting as a military protectorate in South Vietnam for quite some time. We knew for quite some time that the dictator of South Vietnam has wanted to go north. We know that recently there was a big demonstration in Saigon, staged pretty much by students, but there were others, and in response to a speech made by Dictator Khanh, the cry was, "Go north, go north, go north," which meant that the cry was for escalating the war into North Vietnam.

We also know that as a result of that incident, which ended in an incident of some riot proportions, in that the rioters pulled down some memorials which had been erected to the French dead in Saigon, General Khanh and Ambassador Taylor had some diplomatic conversations. Most Senators have read that the latest diplomatic conversation had taken place at a party out in the country, at an estate, which Khanh and the Ambassador had attended. The stories which came out of that meeting were to the effect that they had resolved their differences and that there was a recognition on the part of the general that the United States would not favor an extension and expansion of the war to the north.

On Friday, July 31, the war was escalated to the north. That is not a matter of infiltration. That is not a matter of junks seeking to bring in supplies. That is not a matter of South Vietnamese intelligence people being slipped into North Vietnam or of North Vietnamese intelligence agents being slipped into South Vietnam. This was a well thought out military operation. These islands were bombed.

When these islands were bombed, American destroyers were on patrol in Tonkin Bay, and they were not 60 or 65 miles away. What I am about to say I can say without revealing the source and without violating any secrecy.

It is undeniable that in the patrolling operations of our destroyers in Tonkin Bay the destroyers have patrolled within 11 miles and not more than 3 miles off the coast of North Vietnam. The reason that these are the figures is that there is a conflict between the United States and North Vietnam. North Vietnam claims that her national waters go out to 12 miles. She is not the only country in the world that claims it. The United States takes the position that national waters extend only 3 miles. I believe our position is absolutely right. I believe the weight of international law is in favor of us. I think the so-called exceptions which are often cited in international law cases, which certain proponents seek to use to throw doubt over the whole principle, are exceptions which apply in geographic locations in the world are special in their nature. Some Latin American neighbors claim not only 12 miles, but, in some instances, more than 12 miles, particularly when they think extending the national waters beyond 12 miles may give them great commercial advantages in respect to fishing rights.

I only mention it in passing to show that this fact is a point of international

law which is frequently under considerable dispute and controversy.

I repeat my premise. There is no question about the fact American naval vessels, in their legitimate rights of patrol in Tonkin Bay, patrolled within an area of 3 miles to 11 miles in extent.

They patrolled under 12 miles to demonstrate that we did not recognize any 12-mile limit, and stayed beyond 3 miles to make it clear that we respected and abided by what we thought was the international law right of North Vietnam.

We had the international right to do that. The senior Senator from Oregon has never taken the position that we have no right to patrol in Tonkin Bay in international waters. It ought to be done with discretion. If we wish to argue in one breath that we are against escalating the war, we have a little difficulty in the next breath justifying, in my judgment, the course of action that we followed in respect to South Vietnamese bombing of the two islands 3 to 5 miles off the coast of North Vietnam, and then having American naval vessels, a part of our Navy, so close to the North Vietnamese coast, although in international waters, as they were on Friday, July 31, when the bombing took place.

Oh, Mr. President, the Pentagon and the State Department throw up their hands in aggravation if anyone suggests, as I did in my speech yesterday, that their very presence there is subject to the interpretation that they were a backstop. All the protestations on the part of the State Department and the Pentagon cannot change a physical fact. The presence of those ships in that proximity to the North Vietnamese coast, while an act of war was being committed against North Vietnamese coast by the bombings of those islands, was bound to implicate us. We are implicated.

One can deny, deny, and deny, but the fact that the ships were that close while the bombing took place is bound to be interpreted as a provocation, and also must be considered when we look at the matter of the reaction to it as an extenuating fact.

Mr. President, I do not know exactly the mileage location of the American naval vessels while the bombing took place. I do not know whether it was 4 miles, 11 miles, or 20 miles. But the very fact that these ships were in that general area of Tonkin Bay, where they could have given, if it became necessary, protection, in my judgment implicates the United States.

It is bound to be looked upon by our enemies as an act of provocation; and it makes us a provocateur under the circumstances.

It is difficult to find out exactly what happened in regard to the ultimate attack on the *Maddox* on Sunday. The bombing took place on Friday. But I think I violate no privilege or no secrecy if I say that subsequent to the bombing, and apparently because there was some concern about some intelligence that we are getting, our ships took out to sea; that is, they changed their course, instead of remaining close to the mainland of North Vietnam, as they had a perfect

right under international law to do. But as a result of the concern that was caused by the bombardment by the South Vietnamese—our ships went a considerably greater distance from the shores of North Vietnam. Approximately 60 miles offshore was the point at which the attack by the North Vietnamese PT boats took place.

That was an act of aggression on their part against the United States. There is no question that we were clearly within our rights in replying with force and sinking their ships, if we could. Apparently we did sink one of their ships. That closed that incident.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. MORSE. I shall be glad to yield.

Mr. LAUSCHE. The Senator just made the statement that, on the basis of certain intelligence received by, I assume, the commander of the *Maddox*—

Mr. MORSE. I am not going to comment on that. I think I have said all that I have a right to say within the proprieties.

Mr. LAUSCHE. There has been no proof of any kind whatsoever that any intelligence was received, except as to the pursuit by the PT boats of our *Maddox*. So my question is, On what basis does the Senator from Oregon say that we received certain intelligence that our ships were being attacked?

Mr. MORSE. I did not say that. Read the record. Have the record read back.

Mr. LAUSCHE. Will the Senator please state, then, what his understanding—

Mr. MORSE. If it will help the Senator, I will repeat what I said. I had pointed out that after the bombardment of the islands, the American ships, from the point where they were, took out to sea a greater distance.

Then I made the comment that it was my understanding that on the basis of intelligence reports there was some concern about the situation. I did not say what the Senator said I said. I do not think I should say it. I do not believe the Senator from Ohio should say it, either.

Mr. LAUSCHE. I am glad to have the Senator's information.

Mr. MORSE. I do not think the Senator from Ohio should say it either; but on the basis of intelligence reports, a decision was made that our ships should go farther out to sea. That is all I have said.

Mr. LAUSCHE. Does the Senator mean on the basis of knowledge, or on the basis—

Mr. MORSE. It is on the basis of what the Senator from Ohio and I heard in a secret session of the committee. I think I have said all I should say. I merely say that there was a change in our patrol policy, that our patrol boats went farther out to sea and were followed by the PT boats of North Vietnam.

Finally, on Sunday, they were close enough together for the engagement to take place.

Mr. LAUSCHE. So that we may have an understanding, our *Maddox* did go



out to sea; but according to my recollection, that had no relationship to what had happened on the islands. It had a relationship to the pursuit that was being made by the PT boats of our *Maddox*.

Mr. MORSE. I have not said it had a relationship to what had happened in the islands. I am merely saying—the conclusion I am about to make in a moment is—that we had naval craft in the area of Tonkin Bay, where the enemy, in my judgment, had good reason to believe that there was a cause-to-effect relationship between the bombardment and our naval boats, and that our authorities knew of the bombardment. It does not make any difference whether the *Maddox* knew of the bombardment. Our authorities had the right to put the *Maddox* wherever they wanted to put her. The fact is that our authorities knew of the plans for the bombardment. The conclusion I was about to make is that they made a great mistake, in my judgment, in having our ships as close as they were to the mainland of North Vietnam when that bombardment took place, for they assisted the North Vietnamese to draw the conclusion that there was a relationship between the American patrol boats and the boats bombarding the islands. I think that was the only interpretation we could expect the North Vietnamese to make; and it would be exactly the same interpretation the United States would make under reverse circumstances.

Mr. LAUSCHE. Mr. President, will the Senator from Oregon yield further?

Mr. MORSE. I yield.

Mr. LAUSCHE. The exchange of our words will not solve this problem. However, I am obliged to say that my recollection of what has been testified to is completely inconsistent with what the Senator from Oregon has stated.

Mr. MORSE. The Senator from Ohio is entitled to his interpretation of what we both heard. I am satisfied that my interpretation is unquestionably correct as to what happened to those ships.

The point the Senator from Oregon is making is that if we had knowledge—and we did have knowledge—that there was to be a South Vietnamese bombardment of the islands, we should not have had our ships anywhere in the area. In my judgment, we ought to have had them well beyond the 60 miles where the engagement finally took place. But there is no question that they were much closer to the North Vietnamese coast before that engagement took place. In fact, they were trailed out to 65 miles by the PT boats.

My point is, if we are to talk about provocation, that the United States was a provocator by having any ships anywhere within striking distance or bombing distance; and the South Vietnamese boats did bomb those islands. We should have been completely out of the scene.

If Senators want my opinion, a "snow-job" is being done on us by the Pentagon and the State Department in regard to that bombardment. Not only had we full knowledge of it, but it was being done with our tacit approval. If we did not want to escalate the war into North

Vietnam, that was the time for the United States to stop escalating.

Mr. LAUSCHE. I recognize the absolute sincerity of the Senator from Oregon in the statement he has made. I hope that he will also recognize that I am trying to be sincere.

Mr. MORSE. No one could be more sincere than the Senator from Ohio. We are just poles apart in regard to what our obligations and actions ought to be in South Vietnam. The Senator from Ohio favors the program that we are following, which, in my judgment, is a historic mistake. I oppose it. Two men could not be more sincere.

Mr. LAUSCHE. I should like to state my judgment as to what the evidence shows. Our Government had no knowledge of any nature about the attacks which were made upon the two islands by the North Vietnamese. The *Maddox* was miles—

Mr. MORSE. Do not talk about the *Maddox*; talk about our American officialdom in Saigon, and our American officialdom in the Pentagon and the State Department. I state categorically that they knew the bombardment was going to take place before the ships ever moved up there.

Mr. LAUSCHE. Let me state to the Senator from Oregon that there is not a syllable of such testimony in the record which has been taken in the several days we have been listening to witnesses supporting the declaration made by the Senator from Oregon.

Mr. MORSE. There was complete admission that that was known.

Mr. LAUSCHE. It is the judgment of—

Mr. MORSE. It was written out in cold print.

Mr. LAUSCHE. It is the judgment of the Senator from Oregon based in a measure upon his wish that that happened, because that is in conformity with the position that he has taken. There is no testimony in the—

Mr. MORSE. I shall ignore the—

Mr. LAUSCHE. Of any kind that—

Mr. MORSE. I shall ignore the implications of that snide remark.

Mr. LAUSCHE. That is not a snide remark.

Mr. MORSE. It certainly is a snide remark, but I shall ignore the implications of its and state categorically that high officials of this Government have admitted on the record that they were aware of plans for the bombardment, but that they had nothing to do with it, they said—but they were aware of it.

Mr. LAUSCHE. There is no testimony to that effect whatsoever. That is an inference made by the Senator from Oregon as to the—

Mr. MORSE. Get permission of the State Department or the Pentagon to publicly release the whole of the transcript without a single word deleted, and let the country know what they said.

Mr. LAUSCHE. I should like to discuss this subject a little further, but we shall not reach any conclusion, except I must say that I disagree fully with the statements made by the Senator from Oregon.

Mr. MORSE. I know that the Senator from Ohio has good hearing, but on that occasion I do not believe that he was hearing very well.

I yield 1 minute to the Senator from Pennsylvania.

Mr. CLARK. I shall be brief.

I shall be unavoidably absent from Washington tomorrow, having been of the view that the vote on this resolution would take place tonight. I have been unable to change my plans.

I state for the Record that I strongly support the pending joint resolution. Were I present here, I would vote for it. I dislike to make the statement to the distinguished Senator from Oregon [Mr. Morse] that my prognosis is that the resolution will pass.

Mr. MORSE. The resolution will pass, and Senators who vote for it will live to regret it.

Mr. President, to pick up where I left off, the point I am making is that I believe that when the United States became aware of the fact that South Vietnamese planned to bomb the two islands, the United States should have moved in and done everything it could to prevent an escalation of the war.

In my judgment, that act constituted a major escalation of this war. The escalation has been speeding up at an increased tempo ever since. I had made the point that there were naval boats in Tonkin Bay in much closer proximity to the two islands, 3 to 5 miles from Vietnam, than the 60- to 65-mile location which the *Maddox* had reached on Sunday when the attack took place, the bombardment taking place on Friday.

Mr. President, I wish to make it clear that it is quite irrelevant and immaterial whether the captain of the *Maddox* knew anything about the bombardment of the island. He was not conducting a war. He was under orders. I am taking the criticism that, in my judgment, American armed vessels should not have been as close to the islands as they were on Friday, July 31. In my judgment, that gave cause for the North Vietnamese to assume that there was a cause-and-effect relationship between the bombardment by the South Vietnamese vessels and the presence of the American naval patrol boats in Tonkin Bay at the location where they then were.

I repeat that I believe we not only had every right, but we had the clear obligation to protect our men aboard, to protect the vessels, and proceed with the military action by way of the response that our vessels gave to the PT boats of the North Vietnamese who were attempting to torpedo them.

On Tuesday, the next incident occurred. I agree with those who have expressed perplexity as to why the North Vietnamese on Tuesday night in a storm, after 9 o'clock, apparently at night, attempted another armed attack on our vessels.

It certainly was within our right, and I believe our clear duty in order to protect the men aboard and the vessels, to respond with military action designed to sink the attacking vessels.

Mr. President, that action on both Sunday and Saturday night was completely within the realm of international law. We were completely engaged in acts of self-defense. We had every right to respond with force.

I now come to the delicate question. I come to the one, Mr. President—and I make the statement respectfully—about which many people wave the flag into tatters. That is the subsequent action, when our ships were not under fire, in which the United States escalated the war to the mainland of North Vietnam, and the United States selected for itself targets on the mainland of North Vietnam to bomb. We know that that was substantial bombing. We know that that involved the bombing of the areas where their naval vessels were harbored, and that it involved the bombing of ammunition dumps and oil locations.

I do not care how one tries to spell it. I do not care with how much political fervor by way of semantics we attempt to describe it. The fact is that the United States was not protecting any ships at that time.

Mr. President, we either believe in settling international disputes by resort to the procedures of international law or by resort to war. We cannot cut this one both ways. After the second attack in defense of our ships in which we engaged, unless we expect to be charged with engaging in acts of aggression, we should have immediately laid our case under the United Nations Charter before the Security Council of the United Nations. In my judgment, we were dead wrong in proceeding to bomb the establishments on the mainland of North Vietnam and then out of the corners of our mouths saying, "Well, we are not seeking to expand the war. We do not want to widen the war. We are just going to defend ourselves."

Mr. President, bombing those sites was not necessary for self-defense at that point. At that point the United States was guilty of an act of aggression. The United States could no longer after that say that the war was being escalated only by South Vietnam, for the United States then escalated the war into North Vietnam. It is my judgment that it violated its obligations under the United Nations Charter, for there is nothing in the United Nations Charter that justifies such an act of aggression under those circumstances.

What a much stronger position we would be in in keeping with our oft-repeated professing that we believe in the substitution of the rule of law for the jungle war of military might as a means of settling disputes between nations.

Mr. President, we should have resorted to the United Nations then.

Oh, say some in their patriotic speeches, that would have been putting our tail between our legs and running.

What nonsense. I should like to use an argument by analogy in the field of domestic law. We lawyers know that there are few controversies between people that can be more heated than a dispute over a boundary line between prop-

erty owners. The lawbooks are full of remarkable accounts of what human frailties cause people to do sometimes over a dispute involving boundary lines. So let us take my farmers A and B. They have one rough argument over a boundary line. The disputes took place for some time. Finally one day A and B met in the area of the disputed boundary. A pulled a gun on B, shot at him, and missed him. B, exercising his right to defense, knocks him down, takes the gun away from him and beats him up, and B goes back home. On his way back home he says, "I have more guns."

Now, A was in the right and B was in the wrong. B was the aggressor; A was the aggressed upon, and he had a just cause for assault or a more serious crime—assault with intent to kill. Instead of taking his charge to the courts, going down and getting the sheriff to take jurisdiction and proceeding to take the course of judicial process, suppose A decided he would invade B's home and destroy the guns that he might have in his home. We know what would happen under domestic law to Mr. B under those circumstances. In the second case he would now be the aggressor.

I use the analogy, but I do not apply it beyond the point that I now make, and that is that after the second attack, there is no question that we had North Vietnam dead to rights in any charge we might bring before the United Nations. And that is where we should have gone. Let us face the foreign policy that we decided to follow. That is what I meant yesterday when I pointed out that apparently the line of American foreign policy in southeast Asia is the line that we shall demonstrate to them that we shall use force, and that there will be more force to come if they do not desist from violations of their international obligations. When I say "they," I mean North Vietnam, Red China, the Pathet Lao, and others on that side of this war.

That is the policy that the United States apparently has been trying to get away with. It is a policy that asserts that if we merely use enough force, and make clear by way of enough threats that it will be pretty bad and hard on them if they do not fold and yield to our threats—if we follow that course of action, we shall avert the danger of war. Under that policy we greatly increase the risk of a full-scale war in Asia. But whether we did or not, that policy cannot be justified as a matter of principle, because that policy cannot be reconciled with our obligations under the United Nations Charter. In my judgment, we ought to abide by our treaty obligations.

Although I know the point I have just made is highly unpopular with those who think we ought to do just as we please under the circumstances and then, after we dominate the battlefield, go to the United Nations, and that that is the policy of my Government. It is dead wrong. It is wrong in principle. It is wrong in morality. It is wrong also because it cannot be reconciled with our professing that we do not believe in the use of military might as the weapon to be used to settle disputes that threaten

the peace of the world. To the contrary, we claim a belief in a resort to the rules of reason as they are embodied in treaties we have signed, such as the United Nations Charter.

So I say we are a provocateur. My colleagues become excited and seem to think I am guilty of some heinous accusation without any substantiation in fact. We would have been in a stronger position before the eyes of the world to-night if, after we had responded, as we had a right to respond Tuesday night, to the attack on our ships, we had on Wednesday laid that issue before the United Nations and asked the United Nations to proceed to take action encompassed under the jurisdiction of the United Nations. Oh, no. We had to proceed to bomb the mainland of North Vietnam on the basis that we had the right to do it in self defense because they had attacked our ships on the high seas.

We have a right to do it if we want to make war, but then we should not deny that we have a policy of war when we say we are seeking peace. It is hypocrisy to say out of one side of one's mouth, "We only want peace," but to say from the other side of the mouth, "But we are justified in committing acts of war."

Issues of international litigation are involved in this case. There would not be a system of justice on the domestic front if we allowed people to shoot each other up while a trial was being conducted to determine whether the shooting of A by B was justified.

Mr. President, other arguments were made today. Several Senators think they help their case by voting for the joint resolution if they make statements in the Record such as were made today, to the effect "We want it understood that, although we are going to vote for this resolution, it is very important that we make clear to our allies that they come in under the SEATO Treaty and be of help to us."

They asked questions as to whether or not the resolution gives assurance of it. There is not a word of it in the resolution. There is not a word in the resolution that involves any commitment by anybody that there is going to be any help under the SEATO Treaty. All we say is that, because of the SEATO Treaty, we are going to do certain things.

It was said by one of my good colleagues that Great Britain was involved elsewhere, and that Pakistan and India are involved elsewhere. With hundreds of millions of dollars of American military aid under the foreign aid of past years, they are maneuvering themselves into a position where they can conduct a war against each other—with American equipment—if somebody pulls the trigger and a battle starts over Kashmir.

As I have been heard to say on the floor in recent weeks, even the foreign minister of Pakistan stood up in the Press Club in Washington, D.C., and publicly stated that they had no intention of helping us in South Vietnam. As the CONGRESSIONAL RECORD will show, I made the statement that we should make it clear that we are cutting off military assistance. That would be a good thing, anyway, from the standpoint of maintaining



peace between India and Pakistan, because they could not carry on a war very long if the United States did not continue to pour millions of dollars of the American taxpayers' money into those countries by way of foreign aid.

We were told that Australia is stepping up its assistance and that she is going to increase the number of men she has sent there. He forgot to say that the offer of Australia was to increase the manpower contribution to the war in Vietnam from 30 to 60. Mr. President, do not think you misunderstood me. That is the figure—from 30 to 60 men.

As I said to the Secretary of State when he made the announcement some weeks ago, he insulted my intelligence and the intelligence of the American people.

There was one other condition in that great offer on the part of Australia to expand its contribution and help in South Vietnam. Perhaps, in 4 months, they may be able to have six cargo planes available.

Of course, if there is one thing we can get along without, it is cargo planes. We have our own surplus of them.

Mr. President, when we run down the list of allies, we find none of them offering to send boys to do any of the dying in South Vietnam. The dying will have to be done by American boys and South Vietnamese boys.

If any Senator thinks he is a face saver, in connection with a vote from this joint resolution, on the basis that the resolution is going to help increase the cooperation of our allies under SEATO in the conduct of the operations in South Vietnam, I say there is not a word in the resolution that would justify any such hope or implication.

Another Senator thought, in the early part of the debate, that this course would not broaden the power of the President to engage in a land war if he decided that he wanted to apply the resolution in that way.

That Senator was taking great consolation in the then held belief that, if he voted for the resolution, it would give no authority to the President to send many troops into Asia. I am sure he was quite disappointed to finally learn, because it took a little time to get the matter cleared, that the resolution places no restriction on the President in that respect. If he is still in doubt, let him read the language on page 2, lines 3 to 6, and page 2, lines 11 to 17. The first reads:

The Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

It does not say he is limited in regard to the sending of ground forces. It does not limit that authority. That is why I have called it a predated declaration of war, in clear violation of article I, section 8 of the Constitution, which vests the power to declare war in the Congress, and not in the President.

What is proposed is to authorize the President of the United States, without a declaration of war, to commit acts of war.

It is not a new position for the senior Senator from Oregon. I opposed the Formosa resolution in 1955. I opposed the Middle East resolution in 1957. I will say something about those resolutions in a moment.

Let us go to section 2 of the pending joint resolution. Line 9 reads:

Consonant with the Constitution and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia collective defense treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force—

It does not say "excluding the use of the Army." It does not say "including the use only of the Navy." It does not say "including the use of the Air Force." It says, "including the use of armed force." That is all branches of the military establishment, and nuclear as well as conventional weapons.

to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

Mr. President, it is as broad as the Military Establishment. A Senator cannot get any consolation out of that by hoping that, if he votes for it, the President cannot send out large numbers of ground forces.

U.S. FORCES TO BE COVERED INCLUDE THOSE IN SOUTH VIETNAM

I was very much interested in the comments of several Senators in the debate this afternoon in regard to the SEATO Treaty. I say most respectfully that the SEATO Treaty will not help any Senator, either. The resolution supports "all necessary measures to repel any armed attack against the forces of the United States."

We have forces of the United States in South Vietnam. I should like to ask the proponents of the joint resolution, before the debate is over, to tell us whether the language "all necessary measures to repel any armed attack against the forces of the United States" includes our Armed Forces in South Vietnam, which now include troops, vehicles, tanks, and aircraft. Apparently we are pouring more in. There is no question that we have more than 20,000 troops there tonight. Does this language mean an authorization to become full combatants in the civil war if there is an attack on any segment of our forces in South Vietnam?

Let us face the issue. I do not believe there is any doubt that we are being engaged, in an increasing tempo, in escalating this war into North Vietnam. I am not sure that we shall be able to stop there. We may take it into Red China before we are through. I am also satisfied that we shall become combatants along with the South Vietnamese in the civil war. That is exactly what they would like.

They have done a very poor job settling their own civil war.

Here is a country, as I stated in my speech last night, of 15 million population. Here is a country, with its armed forces of 400,000 to 450,000 men, engaged in a civil war with a group of Vietcongs—

South Vietnamese, too—of not more than 35,000. The testimony before our committee is that it is probably in the neighborhood of 25,000. Fifteen million people, with an armed force of 400,000 to 450,000 soldiers, cannot bring under subjugation a dissident group of 25,000 or 35,000 people, in spite of the fact that the American taxpayer has poured \$3½ billion into South Vietnam. Whom do they think they are fooling? They will not fool the American people indefinitely.

The French Government tried that. For 8 long bloody years they did a pretty good job of fooling the French people. But after 240,000 casualties, including 90,000 killed, and thousands upon thousands badly wounded, the French people pulled down the government. They said, "We have had enough. We are not going to sacrifice any more French manhood."

Unpopular as it is, I am perfectly willing to make the statement for history that if we follow a course of action that bogs down thousands of American boys in Asia, the administration responsible for it will be rejected and repudiated by the American people. It should be.

Mr. President, this problem in Asia cannot be settled by war. The problem in Asia requires a political and economic settlement. It requires a negotiated settlement. It requires a conference table settlement. It requires the application of reason, not bullets.

I cannot understand what is happening to my country. I cannot understand what makes people think that way. There are not many at the grassroots of America who think that way. People in positions in Government think that we can entrench ourselves as a military power in Asia and bring about a peaceful solution of the problem. The result will be that the yellow race will hate us more than it hates us already. If the yellow race has not made clear to the white man that Asia is not his fort, I do not know what the white man has to learn by way of an additional lesson.

The place to settle this controversy is not by way of the proposed predated declaration of war, giving to the President the power to make war without a declaration of war. The place to settle it is around the conference tables, the only hope mankind has for peace; namely, the United Nations.

With all its shortcomings, if we destroy it—and we would destroy it with a war—not much hope will be left.

NO LIMITS ON WORDS "FURTHER AGGRESSION"

Before the debate is over tomorrow I should like to have the proponents of the resolution comment on the fact that the resolution continues with the words "and to prevent further aggression."

I should like to have the proponents spell that out. Further aggression against whom? Further aggression by whom?

I should like to have them spell out the provisions of the SEATO Treaty and the United Nations Charter with which our actions are consonant. If we are engaged in helping South Vietnam repel an armed attack, we are obliged under the SEATO Treaty and under article 51

of the U.N. Charter to report it to the Security Council. We have not done that through all the years.

Some of my colleagues in the Senate object to my calling the United States a provocateur. Our constant, repetitious violation of our treaty obligations under the U.N. Charter, which I set out by documentation yesterday in my speech on the floor of the Senate, is clear provocation. We have said to our potential enemies, "We are going to do what we want to do, and you can like it or not." Not so many weeks ago Adlai Stevenson lent his lips in the Security Council to say, in effect—in my judgment to his historic discredit, and it would have been better if he had resigned as Ambassador—as the representative of the United States at the United Nations that the United States was going to do what it wanted to do in Asia, and they could like it or not.

That is not the world statesman for whom I campaigned in 1952. No, Mr. President; we are a provocateur nation. We have provoked trouble because we have not even kept our commitments, either under SEATO or article 51 of the United Nations Charter, by carrying out the requirement of the reports that we are pledged to make, and by placing the issue before the U.N.

Yet we are saying to the world, "All we want is peace." Our Secretary of State says that we will have peace if the countries of North and South Vietnam will do exactly what we want them to do. In essence, that is what the position of the Secretary of State adds up to. There would not be lawsuits, either, if one of the parties would do what the other wanted him to do. That is what the controversy is all about.

FIRST DELIBERATION IS TO FOLLOW U.N. CHARTER

I do not agree with the North Vietnamese. I do not agree with the Vietcong. But we must face up to the fact that they, too, have their international rights; and the place to settle the controversy over international rights and obligations in this modern day is not on a battlefield, but around the conference table, where the procedures or authorities that set forth the rules of international adjudication will prevail.

The great Senator from Alaska [Mr. GRUENING] in his speech this afternoon, cited that important article of the United Nations Charter that places upon every signatory thereto the obligation, first—that is spelled "f-i-r-s-t"—to seek to resolve disputes by way of adjudication or mediation or arbitration or conciliation or negotiation. In that great speech, the Senator from Alaska cited the disputes, and then, in one rhetorical question after another, asked: Have we taken it to arbitration? Have we taken it to conciliation? Have we taken it to mediation? Have we taken it to nego-

tiation? Have we taken it to conference? The answer is that the United States has a grade of zero on that examination. We have flunked the course.

To Senators who object to my suggesting that the United States is a provocateur nation, I say we have a dismal record—so dismal that it spells out the word "provocateur." I listened to a couple of my colleagues on television last night. They had heard the senior Senator from Oregon charge that we are a provocateur nation. So I was all ears. I thought I was going to hear the case that we are not. But there was no case.

It is so easy to say that these things should not be said; that they create disunity and misunderstanding. So long as there is any hope to win a peace and stop a war, the senior Senator from Oregon will state the facts as he honestly believes them to be. When those facts involve misdoings of my own country, it is all the more important that they be stated.

Mr. President, we have a great historic opportunity to strengthen the cause of the rule of law in the world. But we cannot strengthen it and make war at the same time.

The Senator from Alaska [Mr. GRUENING] said again today, as he said a few weeks ago, that what is needed is an agreement to enter into a cease-fire order. Why have we not proposed it? That is the kind of speech Adlai Stevenson should be making at the United Nations. I am greatly disappointed that the other signatories to the United Nations Charter have not been proposing it.

Are we so powerful that they dare not bring up a case to which we are party without our consent? I am exceedingly disappointed that North Vietnam, South Vietnam, the Pathet Lao, the United States, and Red China have not had the rules applied to them in connection with the war in southeast Asia, because that war cannot be reconciled with the United Nations Charter and the obligations in respect thereto by the signatories thereof.

But, say Senators, Red China is not a member of the United Nations. Red China does not have to be a member of the United Nations for the signatories thereto to take jurisdiction over a threat to the peace of the world. Where do Senators get the idea that the United Nations does not go into action unless all the countries involved in a threat to the peace of the world are members of the United Nations? Senators should re-read the Charter of the United Nations. I have read it for the benefit of the Senate. It has occurred time and time again during the last 5 months.

I say with great sadness in my heart that many of the signatories to the United Charter have failed mankind by not having brought before the United Nations this threat to the peace of the world in Asia, in all of its aspects.

Some Senators said to me today, "What is the matter with you, WAYNE? Don't you know that we now have this situation in Tonkin Bay before the Security Council?"

Certainly. We had another one before the Security Council a while back, when the little prince in Cambodia kicked us out of Cambodia, and said, "We have had enough of you. Get out. We don't want any more of your aid." Then he filed charges against us for violating his borders, after we had been caught redhanded and had a helicopter shot down after it had dropped a fire bomb and burned a village, killing 16 civilians. Unfortunately, the American boy who was flying that helicopter was sacrificed. We quickly apologized. But, as I have said, does anyone think that that apology would have been forthcoming if we had not been caught? We would not have heard about the incident. I am satisfied that that was not the only violation of Cambodia's borders by both South Vietnam and the United States. We heard about this one only because we got caught.

What about all the threats and actions and incidents that preceded that in the Gulf of Tonkin? Why have they never been submitted to the Security Council?

Here we are about to authorize the President of the United States to do whatever he wishes and use any armed force he likes, not in the Gulf of Tonkin, but anywhere in southeast Asia. But there is no "southeast Asia" question before the U.N.

Why not? If there is not a breach of the peace and a threat to international peace and security there, I do not know what is.

All of South Vietnam for the last 3 years has been a threat to the peace. Why is not that situation placed before the U.N.?

We do not get much consolation out of our sorry record of not having reported our courses of action under article 51 of the United Nations Charter. I hope some Senators tomorrow will have something to say about that. I have a long list of interesting fallacious arguments and exhibitions of wishful thinking that were expressed in the debate this afternoon; but I shall reserve them for tomorrow.

Mr. President (Mr. HART in the chair). I close by commenting only on previous resolutions passed in the Senate: Formosa, the Middle East, and Vietnam.

I ask unanimous consent to have printed in the Record in parallel column form, as shown in the paper which I hold in my hand, a comparison of those resolutions.

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



## VIETNAM

Whereas naval units of the Communist regime in Vietnam, in violation of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace;

Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom;

Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military or political ambitions in that area but desires only that they should be left in peace to work out their own destinies in their own way; now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.*

## CUBA

Whereas President James Monroe, announcing the Monroe Doctrine in 1823, declared that the United States would consider any attempt on the part of European powers "to extend their system to any portion of this hemisphere as dangerous to our peace and safety"; and

Whereas in the Rio Treaty of 1947 the parties agreed that "an armed attack by any state against an American state shall be considered as an attack against all the American states, and, consequently, each one of the said contracting parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations"; and

Whereas the Foreign Ministers of the Organization of American States at Punta del Este in January 1962 declared: "The present Government of Cuba has identified itself with the principles of Marxist-Leninist ideology, has established a political, economic, and social system based on that doctrine, and accepts military assistance from contracontinental Communist powers, including even the threat of military intervention in America on the part of the Soviet Union; and

Whereas the international Communist movement has increasingly extended into Cuba its political, economic, and military sphere of influence: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States is determined—*

(a) to prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending, by force or the threat of force, its aggressive or subversive activities to any part of this hemisphere;

(b) to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States; and

## FORMOSA

Whereas the primary purpose of the United States in its relations with all other nations, is to develop and sustain a just and enduring peace for all; and

Whereas certain territories in the West Pacific under the jurisdiction of the Republic of China are now under armed attack, and threats and declarations have been and are being made by the Chinese Communists that such armed attack is in aid of and in preparation for armed attack on Formosa and the Pescadores;

Whereas such armed attack if continued would gravely endanger the peace and security of the West Pacific Area and particularly of Formosa and the Pescadores; and

Whereas the secure possession by friendly governments of the Western Pacific island chain, of which Formosa is a part, is essential to the vital interests of the United States and all friendly nations in or bordering upon the Pacific Ocean; and

Whereas the President of the United States on January 6, 1955, submitted to the Senate for its advice and consent to ratification a Mutual Defense Treaty between the United States and the Republic of China, which recognizes that an armed attack in the West Pacific area directed against territories, therein described, in the region of Formosa and the Pescadores, would be dangerous to the peace and safety of the parties to the treaty: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be and he hereby is authorized to employ the Armed Forces of the United States as he deems necessary for the specific purpose of securing and protecting Formosa and the Pescadores against armed attack, this authority to include the securing and protection of such related positions and territories of that area now in friendly hands and the taking of such other measures as he judges to be required or appropriate in assuring the defense of Formosa and the Pescadores.*

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be and hereby is authorized to cooperate with and assist any nation or group of nations in the general area of the Middle East desiring such assistance in the development of economic strength dedicated to the maintenance of national independence.*

VIETNAM—continued

SEC. 2. The United States regards as vital to national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any protocol or member state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, and shall so report to the Congress, except that it may be terminated earlier by a concurrent resolution of the two Houses.

CUBA—continued

(c) to work with the Organization of American States and with freedom-loving Cubans to support the aspirations of the Cuban people for self-determination.

FORMOSA—continued

This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, and shall so report to the Congress.

MIDDLE EAST—continued

SEC. 2. The President is authorized to undertake in the general area of the Middle East, military assistance programs with any nation or group of nations of that area desiring such assistance. Furthermore, the United States regards as vital to the national interest and world peace and preservation of the independence and integrity of the nations of the Middle East. To this end, if the President determines the necessity thereof, the United States is prepared to use armed forces to assist any nation or group of such nations requesting assistance against armed aggression from any country controlled by international communism: *Provided*, That such employment shall be consonant with the treaty obligations of the United States and with the Constitution of the United States.

This joint resolution shall expire when the President shall determine that the peace and security of the nations in the general area of the Middle East are reasonably assured by international conditions created by action of the United Nations or otherwise except that it may be terminated earlier by a concurrent resolution of the two Houses of Congress.



Mr. MORSE. Mr. President, in connection with these resolutions, several Senators stated this afternoon, that the United States was not asking for any more in the resolution now before the Senate than has already been asked for in the past, as though that were a sound argument. What has that to do with whether or not we pass the pending joint resolution? If we made mistakes in the past—as we have done, in my judgment—we should not make another one now.

I did not make those mistakes. With that great liberal, the former Senator from New York, Herbert Lehman, who in my 20 years of service in the Senate has had no peer, I joined in 1955 in opposition to the Formosa resolution. At that time, I pointed out, as I have done in the course of this debate, that it, too, was a preventive war resolution. By a preventive war resolution at that time, we meant that it was a resolution that, first, sought to give the Secretary of State and the Chairman of the Joint Chiefs of Staff the authority to make a strike against the mainland of China before an act of aggression had been committed by China against the United States.

As a result of the argument in committee over that statement, Mr. President, the Senate will remember that we received the famous Eisenhower White House statement, in the course of that debate, to the effect that the President, and he alone, would make the decision as to what course of action would be followed under the resolution.

I stated that that was not good enough for me. I do not intend to give to any President the power to make war by way of a predated declaration of war. I argued then, as I have argued in this historic debate, that the power to make war is vested in the Congress and not in the President. I voted against it.

With reference to the Formosa resolution there was a reference to the President, and I quote from it:

That the President of the United States be and he hereby is authorized to employ the Armed Forces of the United States as he deems necessary for the specific purpose of securing and protecting Formosa and the Pescadores against armed attack, this authority to include the securing and protection of such related positions and territories of that area now in friendly hands and the taking of such other measures as he judges to be required or appropriate in assuring the defense of Formosa and the Pescadores.

The same principle is embodied in the pending joint resolution.

The Middle East resolution was another predated or undated declaration of war resolution, giving to President Eisenhower predated declaration of war power in the Middle East. That will be found in the Middle East resolution:

Furthermore, the United States regards as vital to the national interest and world peace the preservation of the independence and integrity of the nations of the Middle East. To this end if the President determines the necessity thereof, the United States is prepared to use Armed Forces to assist any nation or group of such nations requesting assistance against armed aggression from any country controlled by international communism.

Clear authorization of what I stated at the time, and repeat tonight, was an unconstitutional power to be vested in the President of the United States.

#### CUBAN RESOLUTION DELEGATED NO POWER TO PRESIDENT

Now we come to the Cuban resolution. The interesting thing is that the Cuban resolution was not a resolution designed to vest any power in the President. That fact has been lost sight of in debate this afternoon. Senators have stated that we did this in the Cuban resolution. The answer is that we did not.

I voted for the Cuban resolution. I voted for the Cuban resolution, because that constitutional power of Congress was not delegated to the President in that resolution.

In a statement I wrote to my constituents on October 2, 1962, discussing my vote on that Cuban resolution, I stated:

On September 21, I joined 85 other Senators in voting for the following resolution on our relations with Cuba: "The United States is determined (a) by whatever means necessary, including the use of arms, to prevent the Marxist-Leninist regime in Cuba from extending, by force or threat of force, its aggressive or subversive activities to any part of this hemisphere; (b) to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States; and (c) to work with the Organization of American States and with freedom-loving Cubans to support the aspirations of the Cuban people for self-determination."

Earlier, I had joined in signing a unanimous joint report from the Foreign Relations and Armed Services Committees, recommending adoption of this resolution. The report was made following hearings at which we heard from Secretary of State Rusk and William P. Bundy, Director of the Office of International Security Affairs of the Defense Department.

They described in some detail, in closed session, the nature and technique of the sea and air surveillance we maintain over Cuba, and over activities on this narrow island. It was from this observation that they were able to say that the military activities in Cuba are still of a defensive nature and not now an offensive threat to the United States.

The resolution, unlike the Formosa and Middle East resolutions, is not a delegation of warring power to the President. It is a statement of U.S. foreign policy. It is one I heartily endorse, and one which should be read carefully and with sober consideration in both Havana and Moscow.

Mr. President, I close by reading the full language of the Cuban resolution. I have just made a distinction between the Cuban resolution, the Formosa and the Middle East resolutions—and now the southeast Asia resolution, which is as different as night from day.

The Cuban resolution provided:

Whereas President James Monroe, announcing the Monroe Doctrine in 1823, declared that the United States would consider any attempt on the part of European powers "to extend their system to any portion of this hemisphere as dangerous to our peace and safety"; and

Whereas in the Rio Treaty of 1947 the parties agreed that "an armed attack by any State against an American State shall be considered as an attack against all the American States, and, consequently, each one of the said contracting parties undertakes to assist in meeting the attack in the exercise

of the inherent right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations"; and

Whereas the Foreign Ministers of the Organization of American States at Punta del Este in January 1962 declared: "The present Government of Cuba has identified itself with the principles of Marxist-Leninist ideology, has established a political, economic, and social system based on that doctrine, and accepts military assistance from extracontinental Communist powers, including even the threat of military intervention in America on the part of the Soviet Union"; and

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(b) to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States; and

(c) to work with the Organization of American States and with freedom-loving Cubans to support the aspirations of the Cuban people for self-determination.

Mr. President, there is not one word authorizing any power to be vested in the President of the United States.

Senators have forgotten the record made when we debated, in connection with the Cuban resolution, what is proposed under the southeast Asian resolution. That question was debated on the floor of the Senate.

I say with sadness, in view of the situation in the Senate tonight, that when the Cuban resolution was being considered, a substantial number of Senators served clear notice that they would not vote for it if it sought to authorize any power in the President of the United States.

Out of deep affection and great love for President Kennedy, I say that President Kennedy did not ask to have any authority authorized in that resolution as far as the Presidency was concerned. I have no quarrel with that statement of foreign policy. I would have no quarrel with that statement of foreign policy applied to southeast Asia.

Under that statement of policy, doors are left open and the obligations remain clear, to resort to the peaceful procedures set forth in the United Nations treaty, and set forth in our other treaty obligations.

I close, Mr. President, by saying, sad as I find it to be to have to say it, that in my judgment there is no course of action that I could possibly follow in keeping with my conscience and my convictions in regard to my constitutional obligation under the oath that I took four times when I came into this body, but to vote against the joint resolution tomorrow. In my judgment, this resolution, no matter what semantics are used, spells out the ugly words: "Undated declaration of war power to be vested in the President of the United States."

Congress has no constitutional power to grant such authority to the President of the United States. The only difficulty is that under our constitutional system, I know of no way that we can get it before the Supreme Court for a constitutional determination.

Mr. President, I yield the floor.

#### MAIL ORDER TRAFFIC IN FIREARMS

Mr. DODD. Mr. President, I believe this subject is important to both the Senators from Oregon and Ohio, and I am sure that they will think so. I know they do, because they have spoken to me about it.

Mr. President, this morning's New York Times contains a very extensive article pointing out that 1 million mail-order guns are sold each year in the United States. These weapons are sold sight unseen, without the knowledge of local police authorities, to people who may be criminals, mentally deranged persons, juveniles, or racial extremists.

The number of weapons in private hands, according to the National Rifle Association, has reached 1 billion rifles, pistols, and shotguns, and several billion rounds of ammunition.

Twenty-five thousand self-styled minutemen have armed themselves and formed into quasi-military units, presumably to defend against a Communist takeover which they expect to come about by 1973.

Crime was up 10 percent last year. Since 1958 the crime rate has grown five times as fast as the population. To a considerable extent, the burgeoning crime explosion can be attributed to the easy availability of murderous weapons, and the easiest, most secret manner of obtaining these weapons is through the mails.

Eight thousand five hundred murders were committed in the United States last year, one for every hour of the day. More than half of these murders were committed with guns and, since half of the guns sold annually are mail-order weapons, we may safely assume that a large percentage of these murders were committed with weapons obtained anonymously through the mails.

The control of crime and of the use of dangerous weapons are matters, which, under our system of government, must fall most heavily upon local and State authorities. Yet, there is a considerable Federal responsibility in this area.

For years I have been trying to secure a restrained but workable law to control interstate sales of dangerous weapons through the mails. This law would simply require that purchasers of mail-order weapons must correctly identify themselves as to proper name, age, residence and the absence of a criminal record, and that local police authorities must be informed of the identity of mail-order weapons purchasers in their jurisdictions.

For many long months those who favor this proposed legislation have worked

to gain its acceptance by the responsible elements in the arms industry—arms manufacturers, arms dealers, law enforcement people, and sportsmen's groups, such as the National Rifle Association. In this we were successful.

Then we launched a vigorous effort to gain public acceptance of this proposed legislation. I have thousands of letters and hundreds of newspaper editorials, many of which I have inserted in the Record from time to time, attesting to the success of this effort.

For additional long months, we struggled to get a favorable report for this proposed legislation from the Juvenile Delinquency Subcommittee, and from the parent Judiciary Committee. In this we were successful.

And there was a long effort to win support and clearance by the various departments of the executive branch. In this we were also successful.

All of these years of effort seem now about to go down the drain despite the crime explosion, despite the assassination of President Kennedy with a mail-order weapon, despite the large shipments of these weapons into areas of racial unrest, despite the fantastic growth of private arsenals, and the forming of armed vigilante groups all across the Nation.

The effort is going down the drain because, with the Congress close to adjournment, it is still awaiting action in the Senate Commerce Committee. A number of hearings have been held on this bill by the Commerce Committee, and I have testified at two of them.

I know personally that a number of committee members favor the bill. Yet, despite the fact that every procedural requirement has been met, that every preliminary legislative hurdle has been overcome, we cannot get action on the key step, the voting on this bill, either up or down, by the full committee.

What seems to be influencing some members of the committee to withhold action on this bill are the protests of people who are either misinformed or bamboozled.

Mr. LAUSCHE. Mr. President, will the Senator from Connecticut yield at that point?

Mr. DODD. I am glad to yield.

Mr. LAUSCHE. I do not wish my silence in the Chamber while this statement is being made to be construed that I am one who is trying to stop the Senator's proposal. I am a member of the Commerce Committee. I believe implicitly in the soundness of what the Senator is trying to do. At the last meeting of the executive committee, I urged that the Senator's bill be sent to the floor for either approval or disapproval.

Mr. DODD. I am very happy that the great Senator from Ohio has made that statement, because I should have made it. He has been one of the great, strong arms that I have had associated with me in this effort. I am happy that he reminds me of his support. I have also been supported by many other Senators.

Mr. President, in most cases the misinformed protesters against this bill have been misled by those who have financial interests in gunrunning, and by those who have suspect motives which are cloaked under the false cover of anti-communism, or patriotism, or constitutional liberties.

I am convinced that this opposition does not come from responsible sportsmen's groups.

I know this because we worked with the leadership of the National Rifle Association in devising this legislation, and this leadership has testified in behalf of the bill.

The protests have come from the crackpot element, the vigilante groups, and those who have been misinformed about the bill and have not taken the trouble to read it.

No responsible weapons purchaser would be interfered with by this bill any more than he would be if he went down to the local gun store in most of the communities in this country.

I have done all that I can.

I have appealed again and again to the membership of the Commerce Committee, both to the committee as a whole and to the individual members. I know it is not the intention of this committee to delay action on this bill. Many of the members of the committee, including the chairman, the Senator from Washington [Mr. MAGNUSON], and the Senator from Nevada [Mr. CANNON] have gone out of their way to be courteous and considerate in dealing with my request for action on this bill. I know, that like all of our committees, the Commerce Committee is beset with a variety of problems, and that there is not enough time to deal with all of them. I am merely doing my best to see that this vital legislation gets as much of the time of the Commerce Committee as it is possible for the committee to grant. Time is running out and my only recourse is to make this one last appeal.

During this very hour in which I speak, someone, somewhere in this country is being murdered, and every hour of the day there will be another murder. Several of the murders committed today will be committed with mail-order weapons placed in the hands of unstable people, who obtained them in secrecy without the knowledge of local authorities, and, in most cases, in violation of local and State law.

All I ask is that we in the Senate carry out our responsibility for the Federal aspect of this problem by requiring that the full identity of mail-order purchasers of dangerous weapons be known, and that those who are obviously unfit to possess weapons because of age or previous criminal record, or local law, be prohibited from doing so.

I urge my colleagues to help me in getting Senate action on this bill.

Mr. President, I ask unanimous consent to have printed in the Record this morning's article published in the New York Times entitled "Minutemen Help Spur the Growth of Gun Clubs."



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United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 88<sup>th</sup> CONGRESS, SECOND SESSION

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No. 153

## Senate

The Senate met at 10 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. Mansfield).

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

Dear God and Father of us all, whate'er our name or sign: For this hushed and dedicated moment, gather our wandering minds and our wayward wills into Thy secret place, where even before voices here are lifted, concerning the affairs of these distraught times, we may have ears to hear a Voice whose guiding, if followed, will help us rightly to interpret the signs of these trying days.

Hasten, we pray, through us the day of an ampler life for all, when every member of Thy human family will dwell in safety among his neighbors, free from gnawing want, free from torturing fears, free to speak his thoughts, and free to choose his altar of worship.

On the tablets of our hearts, may there be written Thy decrees.

We ask it in the ever blessed name of Him who is the Way. Amen.

### THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 6, 1964, was dispensed with.

### MESSAGE FROM THE PRESIDENT

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

### MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY IN SOUTHEAST ASIA

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate Senate Joint Resolution 189, under the agreement limiting debate and providing for a vote at 1 o'clock p.m. on its passage.

### EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, from the time allocated to the majority

leader, I move that the Senate proceed to the consideration of executive business, to consider a nomination on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

### EXECUTIVE MESSAGE REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

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

### EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. BIBLE, from the Committee on the District of Columbia:

Gerry Levenberg, of the District of Columbia, to be a member of the Advisory Board of the National Capital Transportation Agency; and

Robert C. Wood, of Massachusetts, to be a member of the Advisory Board of the National Capital Transportation Agency.

By Mr. EASTLAND, from the Committee on the Judiciary:

William N. Goodwin, of Washington, to be U.S. attorney for the western district of Washington.

By Mr. KEATING, from the Committee on the Judiciary:

George J. Ward, of New York, to be U.S. marshal for the eastern district of New York.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees the nomination on the Executive Calendar will be stated.

### U.S. MARSHAL

The Chief Clerk read the nomination of Santos Buxo, Jr., of Puerto Rico, to be a U.S. marshal for the district of Puerto Rico for the term of 4 years.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Presi-

dent be immediately notified of the confirmation of this nomination.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

### LEGISLATIVE SESSION

On motion by Mr. Mansfield, the Senate resumed the consideration of legislative business.

### MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY IN SOUTHEAST ASIA

The Senate resumed the consideration of the joint resolution (S.J. Res. 189) to promote the maintenance of international peace and security in southeast Asia.

Mr. MANSFIELD. Mr. President, yielding myself still more time under the limited arrangement, I ask unanimous consent to have printed in the Record a telegram sent by Joseph J. Lombardo, commander in chief of the Veterans of Foreign Wars of the United States, to President Johnson on August 5, on the subject of action in the Tonkin Bay; a telegram sent to President Johnson by E. H. Reeder, rear admiral and national president of the Reserve Officers Association on August 5; and a copy of a WTOP editorial, which was broadcast on August 5.

There being no objection, the telegrams and broadcast were ordered to be printed in the Record, as follows:

The President,  
The White House,  
Washington, D.C.:

I take this occasion to express to you the unreserved support of the Veterans of Foreign Wars of the United States for your decision to take prompt retaliatory naval action against vessels and supporting installations in Communist North Vietnam. Such deliberate Red attacks on our ships in international waters were a threat to our national security and our Nation's prestige that could not go unchallenged. The V.F.W., with a membership of 1,300,000 overseas combat veterans, firmly believes that the only language Communist aggressors understand is the language of power. Thus your decision to retaliate against the Communist bases should have a sobering effect on the Red leadership seeking to destroy freedom in southeast



Asia and undermine the security of the United States.

JOSEPH J. LOMBARDO,  
Commander in Chief, Veterans of Foreign Wars of the United States.

The Honorable LYNDON B. JOHNSON,  
President of the United States,  
The White House,  
Washington, D.C.

MY DEAR MR. PRESIDENT: The Reserve Officers Association of the United States wishes to convey to you the unqualified support of its members in the courageous action you have taken in defense of our Nation's position in Vietnam.

E. H. REEDER,  
Rear Admiral, USNR,  
National President.

EDITORIAL BROADCAST, AUGUST 5, 1964, OVER  
WTOP TELEVISION AND RADIO

This is a WTOP editorial.

The aggravated crisis in the Far East may very well be a corollary to the recent pattern of events in that part of the world. During the last several months the United States has assumed an increasingly active role in the defense of South Vietnam, with an ever-greater application of military strength. Everything that has been said recently by highly placed American officials indicates a growing unwillingness to tolerate any prospect of defeat. The defense of the free areas of southeast Asia has become a vital American interest, and the war in South Vietnam is not a major—not a subsidiary—American effort.

It can be speculated that these changed circumstances have drawn a deliberate Communist response in the Gulf of Tonkin. There, the attacks on American destroyers might be interpreted as a Communist probe to learn whether, in southeast Asia, we really mean what we say and whether our policy has turned a good deal tougher. Under this reasoning, the incidents in the international waters off North Vietnam are a test of the credibility of our intentions.

If this is the case, the U.S. actions this week ought to be wholly convincing—perhaps more convincing than Hanoi and Peiping bargained for, President Johnson, with bipartisan concurrence, ordered a sharp counterattack on a limited number of North Vietnamese shore installations. And by so doing, the President—faced with his first serious international flareup—has proved his readiness to use force when force is required.

Of course, this is a risky business, as international confrontations always are. But there are occasions when an act of war can be a step toward peace. And as President Johnson has told the Nation, "Our mission is peace"—that, and the defense of American commitments which cannot be abandoned.

This was a WTOP editorial, Jack Jurek speaking for WTOP.

#### WILL THE 88TH CONGRESS BE A CONSERVATION CONGRESS?

MR. MANSFIELD. Mr. President, I renew my request and ask that the time I have used so far this morning be charged to me.

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

MR. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an article written by Edward J. Meeman, who is conservation editor of the Scripps-Howard newspapers, entitled "A Few More Acts and the 88th Will Be 'the Conservation Congress.'" This article was published in

the Scripps-Howard newspapers generally across the country on August 3, 1964.

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

A FEW MORE ACTS AND 88TH WILL BE "THE  
CONSERVATION CONGRESS"

(By Edward J. Meeman)

"If this Congress keeps up the way it is going, I think it will be known as the conservation Congress."

So said Representative MORRIS UDALL, Democrat, of Arizona, during the debate on the wilderness bill. A few minutes later the House adopted 2 amendments to strengthen the bill and then passed it by the overwhelming vote of 373 to 1.

If the 88th Congress keeps on going in that fashion, it will indeed go down in history as "the conservation Congress."

To earn that title, Congress needs to do these things:

Work out prompt agreement of the two Houses to reconcile their differing versions of the wilderness bill. With Senator CLINTON ANDERSON and Representative WAYNE ASPINALL in charge of the respective bills in conference there's no difficulty there.

Take quick action in the Senate on the House-passed land and water conservation fund bill. Sometimes late in a session one House accepts from the other a bill not wholly to its liking in order to get it through. The House has worked out a land and water bill which is an improvement over the original draft submitted by the administration; it substantially meets all objections. The Senate would make no mistake to pass the House version unamended.

#### BILLS CAREFULLY WORKED OUT

But Congress should not be content to pass only these two big bills. There are other bills well along toward passage which can and should be sent all the way, they have been carefully worked out.

There is the river basin planning bill. It will improve the coordination of the various Federal agencies involved in water projects. It will provide a new type of Federal-State agency to assist the State to become more active in planning the desperately needed conservation of their dwindling water resources.

#### STILL TIME TO ADD THESE

There is yet time to add these to the Nation's permanent outdoor treasures: Ozark National Rivers, Fire Island National Seashore, Tocks Island National Recreational Area, Indiana Dunes National Lakeshore, Sleeping Bear Dunes National Lakeshore, Big Horn Canyon National Recreation Area, Lake Mead National Recreation Area, Oregon Dunes National Seashore.

Have I left out one or more areas just as deserving and also well enough along toward passage that they can be put through? Possibly. All right, Mr. Congressman, add them to the list.

The way Congress is going, many big things can be accomplished in the time that remains so that this will be truly "the conservation Congress."

#### MOTION TO RECONSIDER CERTAIN BILLS PASSED YESTERDAY

MR. MANSFIELD. Mr. President, I move that the votes by which H.R. 11466, H.R. 8925, and S. 3075, the last three bills passed on yesterday, be reconsidered.

MR. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY IN SOUTH- EAST ASIA

The Senate resumed the consideration of the joint resolution (S.J. Res. 189) to promote the maintenance of international peace and security in southeast Asia.

MR. MANSFIELD. Mr. President, on my own time, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

MR. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER (MR. SALINGER in the chair). Without objection, it is so ordered.

MR. MORSE. Mr. President, I shall proceed to discuss briefly the points that I did not cover in detail last night with regard to the pending joint resolution.

The PRESIDING OFFICER. How much time does the senior Senator from Oregon wish to yield himself?

MR. MORSE. I yield myself such time as I may need.

MR. President, in view of the debate which took place last night, which we did not contemplate at the time we entered into the unanimous-consent agreement, as I have stated to the majority leader, I wish now that we had fixed the time to vote at 12 o'clock today. There is little remaining to add, by way of rebuttal, to what I said last night, except the points that I shall cover this morning. However, I do want to discuss in some detail the predated declaration of war aspects of this unfortunate resolution.

I hope, as I said to the majority leader, that the defenders of this unfortunate resolution will come to the floor of the Senate and give a defense of it in answer to the points that I made in rebuttal last night and shall amplify this morning. I am waiting for their replies.

I have a little reply of my own to make this morning to the Washington Post. There is a very fallacious editorial in this morning's Washington Post entitled "Democracy's Response." I ask unanimous consent that it be printed at this point in the RECORD.

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

#### DEMOCRACY'S RESPONSE

Congress is responding with commendable promptness and with an almost unanimous voice to President Johnson's request for support in the Southeast Asian crisis. The President consulted the leaders of both Houses and then asked for a supporting resolution not only because he felt the necessity for congressional approval of what is being done, but also because he wished to demonstrate before the world the unity of the American people in resisting Communist aggression. That unity has been demonstrated despite the reckless and querulous dissent of Senator Morse.

There is no substance in Senator Morse's charge that the resolution amounts to a "predated declaration of war." On the contrary, it reaffirms the longstanding policy of the United States of aiding the States covered by the Southeast Asia Collective De-

ense Treaty in the protection of their freedom as a contribution to international peace. It pledges military action only to resist aggression against American forces in that area. Of course, the President has authority to respond to attacks upon American forces without any approval in advance by Congress. So the resolution means only a recommitment of the Nation to the policy it has been following—an almost unanimous recommitment in the face of the inexplicable North Vietnamese challenge.

This means of reasserting the national will, far short of a declaration of war, follows sound precedents set in other crises. President Johnson noted in his message to Congress that similar resolutions had been passed at the request of President Eisenhower in connection with the threat to Formosa in 1955 and the threat to the Middle East in 1957. The same course was followed in 1962 at the request of President Kennedy to meet the missile threat in Cuba. None of these emergencies led to war. Rather, the firm action that this country took interrupted Communist maneuvers that might otherwise have led to war.

Congress ought to be very pleased with the now firm establishment of this mechanism for meeting an emergency with a united front. Reliance solely upon the power of Congress to declare war as a last resort would not be appropriate in these days of repeated crises short of war. A resolution of support for the executive arm in meeting an emergency has all the virtue of rallying national strength behind a firm policy—without taking the calamitous step of war in this nuclear age. We surmise that the almost unanimous sentiment behind this resolution on Capitol Hill reflects appreciation for the President's sharing of responsibility as well as support for the tough punishment for aggression that he initiated.

Mr. MORSE. The Washington Post has demonstrated in editorial after editorial that it does not have a good constitutional lawyer on its editorial staff. The editorials published in the newspaper demonstrated that fact constantly. In an editorial which appeared in this morning's issue of the newspaper there appears the following statement:

There is no substance in Senator Morse's charge that the resolution amounts to a "predated declaration of war."

One wonders whether or not the editorial writer has ever read the joint resolution. No one can read the joint resolution and the authority proposed to be given the President in the joint resolution without recognizing that it would clearly authorize the President to proceed to follow whatever courses of action are necessary in his opinion; and such action would constitute authority to conduct war.

I should like to make an additional comment on a statement in the editorial in reference to resolutions passed by previous Congresses. In the body of the editorial the statement is made:

President Johnson noted in his message to Congress that similar resolutions had been passed at the request of President Eisenhower in connection with the threat to Formosa in 1955 and the threat to the Middle East in 1957. The same course was followed in 1962 at the request of President Kennedy to meet the missile threat in Cuba.

The editorial writer apparently had not read, or certainly had not read recently before he wrote that editorial, the Cuban resolution, for there is no simi-

larity between the Cuban resolution on the one hand and the Formosa, the Middle East, and the pending resolutions on the other hand.

But returning to the comment of the Washington Post that there is no substance in Senator Morse's charge that the resolution amounts to a "predated declaration of war," I should like to read for the benefit of that unenlightened editorial writer of the Washington Post page 2 of the joint resolution:

*Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That the Congress approves and supports the determination of the President—*

Not the Congress, but of the President—

as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

The joint resolution thus gives the President war-making power.

I shall come to another section of the resolution same item in a moment. The Commander in Chief, the President of the United States, has the inherent constitutional power immediately to defend the United States in case of an attack, but he does not have the inherent power after that immediate defense to proceed to make war. That is the distinction which this unenlightened editorial writer of the Washington Post has never grasped.

Mr. President, the right of immediate defense is something quite different from the right to proceed to lay out a campaign of war. Under the joint resolution the President would be given the authority to go beyond immediate self-defense of the United States and proceed with a war campaign. That is why I say today, as I said in 1955, and as I said at the time of the Middle East resolution, that such resolutions constitute a predated declaration of war. The Washington Post editorial writers ought to consult with Senators who occupy high positions in the Senate on the other side of the issue in connection with the defense activities of the country. They might be surprised to learn that they are not quarreling with the Senator from Oregon in regard to the effect of the joint resolution. The joint resolution does propose to give to the President of the United States authority beyond the inherent authority that he already possesses to act immediately in national self-defense.

Mr. President, that is a very important distinction in constitutional law. The Senator from Oregon repeats that, under the Constitution, the President has no power to wage war until a declaration of war is passed by the Congress. The joint resolution is a contravention of article I, section 8, of the Constitution, just as the Formosa resolution and the Middle East resolution were contraventions of the Constitution and caused the senior Senator from Oregon in the debate on those two resolutions to take a stand in opposition. As one of the Armed Services Committee leaders of the Senate told me this morning,

"Wayne, there is no difference between the position that you are taking today and the position that you have taken consistently with regard to the other resolutions. No one can really quarrel with your conclusion that the joint resolution does go beyond the inherent authority of the President to act in the self-defense of our country and does vest in him authority to proceed to carry out a campaign that amounts in fact to the waging of war."

Mr. President, I do not believe we should do it. It is not necessary to do it. There is inherent power in the President as Commander in Chief under the Constitution to meet an attack immediately, and then come to the Congress of the United States asking for a declaration of war. We should require those steps, rather than give the President blanket authority under the joint resolution to proceed to wage war without a declaration of war.

Ah, but it may be said, and is said, by some in conversations with me, "But, WAYNE, a President would not do that for very long."

I do not care whether he does it for a short time or a long time. It is not necessary for him to do it, so long as he has the inherent authority to meet attack with immediate self-defense actions.

As I said in 1955, I believe it is important in these trying times that we not extend and expand the authority of the President of the United States beyond the limits of the Constitution.

It may be said that if the President should commit an unconstitutional act under the joint resolution, or if the joint resolution in effect, as argued by the Senator from Oregon, is an attempt to give to the President an unconstitutional power, he can be checked. I wish I could say that he could be. The difficulty in relation to these constitutional questions as they involve the Presidency of the United States is that we do not have a procedure for having them tested in the U.S. Supreme Court. That has been the subject of great discussion, concern, and debate among constitutional lawyers for many decades. It is difficult to bring the President of the United States before the U.S. Supreme Court. Our constitutional fathers provided for other procedural checks upon the President of the United States, one of which is impeachment, which, of course, is unthinkable when we have a President who seeks only in the exercise of his powers—though he may be mistaken in regard to having exceeded an inherent power—to protect the interest of the United States. But that is a check that is provided in the Constitution. Then, of course, we check the President in regard to the purse strings by way of appropriations.

We have the authority, of course, to check the President by way of appropriations, with his ancillary check on Congress of the veto. It is not impossible to eventually get a case before the Supreme Court involving the war-making powers of the President, but the legal road could be long and tortuous. The time con-



sumed would make the question moot by the time it was decided as far as the emergency is concerned will give rise to the issue in the first instance.

When Congress passes a joint resolution such as this, it is practically impossible—in fact, I think it impracticable—procedurally to have the power checked, on constitutional grounds, before the U.S. Supreme Court. I do not know, and I know of no constitutional lawyer who has ever been able to point out, a procedure by which we could bring the President before the Court on the charge that he was making war unconstitutionally. I can hear the Court, in refusing jurisdiction, say, "Congress will have to follow the procedures set out in the Constitution for checking the President."

So I am concerned about the resolution in respect to its giving to the President what I honestly and sincerely believe is an unconstitutional power—that is, the power to make war without a declaration of war. It feeds a political trend in this country that needs to be checked. For some time past in this Republic we have been moving in the direction of a government by executive supremacy.

It is very interesting to listen to the arguments that one hears for extending and expanding the power of the White House. It is extremely important—and I speak soberly and out of a depth of great sincerity—that we never grant a single power to any President, I care not who he is, that in any way cannot be reconciled with that precious fundamental foundation of our Republic; namely, a system of three coordinate and coequal branches of Government.

It is dangerous to the freedoms and liberties of the American people to vest in any President, at any time, under any circumstances, power that exceeds the constitutional concept of three coordinate and coequal branches of Government.

The American people will quickly lose their liberty if you do not stop feeding the trend toward Government by executive supremacy. In my opinion, the joint resolution would do just exactly that. It would give to the President of the United States an authority which, in my judgment, he does not need, by any stretch of the imagination. He has inherent power to react, in the self-defense of this Republic, in the event of an immediate attack.

It is particularly essential that we continue to require a President of the United States to conform to article I, section 8, of the Constitution, in regard to making war, and that we continue to hold any President—I care not who he is—under the strictest restraint with regard to the making of war.

We have entered an era of civilization in which an unconstitutional act of war on the part of a President of the United States can lead to nuclear war and the end of this Republic, no matter how sincere a President may be in his intentions in respect to exercising the power to make war.

We need to be on guard in respect to vesting power in the White House. The White House has plenty of power under

the Constitution. I am for giving the White House no more power than the Constitution gives him.

I have heard sincere colleagues on the floor of the Senate—and I respect them—differ with me in regard to the effect of the joint resolution. There are also colleagues on the other side of the issue who have come to me and said, as did one who discussed it with me this morning, "Wayne, there is no doubt as to the effect of the resolution that you are pointing out, and that you pointed out in 1955. It bothered me in 1955; but we have every reason to count on the fact that the President of the United States will not abuse the power."

Mr. President, I do not think he would deliberately abuse the power, but he could most sincerely exercise the power in a manner that would result in great damage to this Republic.

There is an elementary rule of law which states that when we come to deal with procedural matters, if a procedure is subject to abuse we had better change the procedure.

My majority leader, who always is courteous to me and was exceedingly courteous to me in arranging the format for this debate, has heard me say many times as we have served together in this body that we should never forget that our substantive rights are never any better, and can never be any better, than our procedural rights. Our procedural rights determine our substantive rights. There are no substantive rights unless there are procedures for implementing them.

I have said many times—and the statement should be applied to this issue, because it is applicable—let me determine the procedure of any human institution or the administration of any law, and I will determine all the substantive rights anyone may have under that law, that tribunal, or that administrative body. Let me determine the procedure of any courtroom, and I will determine all the substantive rights that can be adjudicated in that courtroom."

Although some critics will say that this principle involves a legalistic abstraction, nevertheless the great principles of so-called legalistic abstraction are principles that determine, in the last analysis, whether one remains a free man or not. This is true because the procedures of our Government written into the Constitution and the laws of our country determine our substantive rights as freemen.

In my judgment, the pending joint resolution tinkers with and impairs the great procedural rights of the American people written in article I, section 8 of the Constitution—namely, that the power and the right to declare war is vested in the Congress, and not in the President of the United States.

War cannot be declared speculatively; war cannot be declared in futuro under article I, section 8 of the Constitution. War cannot be declared to meet hypothetical situations yet to arise on the horizons of the world. War is declared in relation to existing operative facts of the moment of the call for a declaration of war.

In the resolution before the Senate—and I shall read the section to which I have referred and another section momentarily—the President of the United States would be given power to make war in relation to operative facts not now in existence, but which may come into existence in futuro. That cannot be reconciled with article I, section 8 of the Constitution.

For the education of the unenlightened editor of the Washington Post who wrote the ignorant editorial in respect to this constitutional point, I hope he will reread article I, section 8 of the Constitution, and that he will read again—assuming that he ever read the resolution before he wrote the editorial—the section to which I have referred and read, and which I repeat. That part of the joint resolution reads:

The Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

Let us analyze that sentence for a moment. Let us analyze that part of the sentence that deals with the inherent power of any commander in chief, any President, to react immediately in the defense of this Republic. That part of the sentence is not needed. He has that power now. If there is to be read into that part of the sentence which starts on line 4—"to take all necessary measures to repel any armed attack against the forces of the United States"—authority to commit an act of aggression, preventive in nature, it goes beyond the Constitution.

That was my argument in 1955. How well I remember it. In 1955 I participated in the same format of committee organization in which I took part yesterday; namely, a joint meeting of the Armed Services Committee and the Foreign Relations Committee. I opposed the Formosa resolution. My recollection is that in committee in 1955 two of us took that position. When we came to the floor of the Senate, my recollection is that I was supported by a third member, as I said last night, the great Senator from New York, Herbert Lehman; and I believe we ended in 1955 with three Senators voting against the resolution. As I remember my opening speech in 1955—and the Record will speak for itself—I said, as I say now, that I was standing in a position on the floor of the Senate in which a few other liberals had stood throughout the history of this great parliamentary body. Like them I was confronted with the choice of telling the American people what I was satisfied they were entitled to know about their foreign policy, and run the risk of violating the rules of secrecy of the Senate, thereby risking the discipline of the Senate, or failing in my obligation to tell the American people things that I thought they were entitled to know in regard to the foreign policy of the country and avoid running the risk of being disciplined by the Senate.

If Senators will read that speech they will see that I said I thought I could give the American people what they should

be warned about within the rules of the Senate, without subjecting myself to Senate discipline. Senators will find that I said—I paraphrase the speech, but accurately:

I wish to tell the American people that this is a preventive war resolution; and if any Senator has any question about it, let him go to the Foreign Relations Committee on the floor below and read the testimony of the Secretary of State—

Who was then John Foster Dulles—and the testimony of the Chairman of the Joint Chiefs of Staff of the Military Establishment—

Who was then Admiral Radford.

I said:

If Senators will read that testimony, they will know that behind this resolution is the proposal that the Military Establishment and those in charge of American foreign policy are to be given the authority to make a strike against the mainland of China before China makes a strike against the United States. Such a strike would be an act of aggression. Such a strike would be an act of war. Authorization for such a strike in the Formosa resolution amounts to seeking to give to the Military Establishment, without a declaration of war, the power to make war. Senators will find that clear power in the resolution.

Senators will remember that in 1955 the senior Senator from Oregon took that position in the hearing before the committee. My position became known. After I took that position the chairman of the committees sitting jointly, Mr. Walter George, of Georgia, declared a recess, and announced that he would go to the White House for the purpose of discussing with the President the argument that I had made in committee. He went to the White House. Out of that conference came the famous White House pronouncement with respect to the Formosa resolution, in which President Eisenhower announced that he, and he alone, would make the decision under that resolution as to what course of action this Government would follow in implementing the Formosa resolution.

Senator George came back and had a conference with me. He thanked me for what he considered to be the service I had rendered. He said, "It was a very important service. I would not support the resolution in the absence of the White House announcement." He said, "WAYNE, I hope you will work with me now to help get the resolution through the Senate."

I said to the chairman of the Foreign Relations Committee, who served on that occasion as chairman of the committees sitting jointly, "That does not make it any better so far as I am concerned. You missed the point of my objection. Although the testimony in committee would have left the impression that the Secretary of State and the military officials could have made the decision, they will still be making the decision, because the President will follow their advice." I said, "I would not vote for it if they had no voice in it at all, because I will not vote to give to any President this power, because the Congress of the United States must jealously guard its prerogatives under article I, section 8 of

the Constitution. All that the President needs to do is to come before Congress and ask for a declaration of war. He has inherent authority to meet an emergency that requires national self-defense action prior to the time he gets to the Congress."

Senators will note in the Record that I used the beginning of the war with Japan as a precedent. I said, "After the strike at Pearl Harbor, Franklin Delano Roosevelt exercised the power as Commander in Chief to defend this country in national self defense, but he came to Congress for a declaration of war."

I made that argument in 1955. I repeated it in summary form at the time of the Middle East difficulty, and I am summarizing it again in this historic debate.

I have heard no answer in all the intervening years to the constitutional point that I now raise, and of which the editor of the Washington Post who wrote the editorial this morning is abysmally ignorant.

Mr. President, this joint resolution is not needed for the defense of the Republic. It should not be used to make an end run around article I, section 8, of the Constitution. So long as an attack is in progress, the President has the inherent power to protect the Republic in self-defense. But there is reserved to Congress, under the Constitution, the responsibility of passing judgment on whether or not even an attack calls for our declaring war. It may very well be that after a response to an attack, the attacking party may start diplomatic maneuvers into motion—to surrender, to capitulate, to ask for a negotiated settlement, or to resort to the rule of law—which might cause Congress, in exercising its authority under the Constitution, to check the President and cause him to decide not to make war at that time. It is an important procedural check.

It is easy, understandable, and natural in a time of high national emotion, in a time of strong patriotic fervor, to say, "Give 'em the works." It is also true that in such an hour of high national emotion and hysteria, we who sit in seats of responsibility, so far as the legislative process is concerned, can say, "Let us wait. Let us first analyze the situation on the facts, and then vote the authority that is needed to protect the country. Sincere and honest men can differ as to the procedural form that the grant of such authority shall take."

In 1955 and again in 1957 the senior Senator from Oregon took the position, as he does in the instance of this resolution, that the Middle East resolution and the Formosa resolution would be grants of authority to the President to exercise power which would amount to predated declarations of war. That should not be done. It is not necessary. All the world knows that any country that attacks the United States will be met immediately with the exercise of the inherent power of the President, under the Constitution, to defend the Republic. All the world knows that if any country continues an attack upon this country, the President will come before this body and quickly, as the great Roosevelt did

after Pearl Harbor, in 1941, obtain from Congress a declaration of war. What more is needed?

A constitutional principle is involved. It is dangerous to give to any President an unchecked power, after the passage of a joint resolution, to make war. Consider the procedural complications that could develop if Congress decided that the President was making serious mistakes in the conduct of a personal war—for it would be a Presidential war at that point. How would the President be stopped? He could not be stopped. Consider what would happen to this Republic if we got into that kind of conflict with the President in carrying out the joint resolution.

But, say some, see what the end of section 3 provides:

This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress.

That would create a nice mess, would it not? That would be a nice portrait of the United States to paint before the eyes of the world. What havoc of disunity that kind of procedure would encompass.

What is wrong with letting the Constitution operate as written by our constitutional fathers? Why this indirect amendment of the Constitution? There are Senators, for whom I have deep affection, who become a little shaken, in our private conversations, when I say, "What you are really seeking to do is to get around the amending process of the Constitution. In effect, you are trying to get around article I, section 8, by amending the Constitution by way of a joint resolution."

I do not believe we ought to establish any more precedents of this kind. I do not accept the argument that because we have made two mistakes in the past—we made no mistake in connection with the Cuban resolution; and I shall speak of that later—because we made mistakes in the Formosa and the Middle East joint resolutions, we can make another one. Even a repetition of mistakes does not create a legal right in the President. I do not believe it is good legislative process to repeat mistakes. We ought to stop making them.

In effect, this joint resolution constitutes an amendment of article I, section 8, of the Constitution, in that it would give the President, in practice and effect, the power to make war in the absence of a declaration of war. It is also important to demonstrate to the world, including the free nations, that the Constitution of the United States is not an instrument to be tinkered with; that the Constitution is a precious, sacred document, so far as our form of government is concerned, and is not subject to subversion in the legislative process. We should never miss an opportunity to demonstrate this principle to the totalitarian nations of the world. We should never forget that under Fascist or Communist regimes there are no rights and liberties of the person.



It is proposed, by this joint resolution, to subvert the Constitution. We are engaging in a subterfuge, so far as article I, section 8, is concerned. We should not do that. We should not in any resolution tinker with the Constitution in respect to the powers and prerogatives of the President, and the limitations upon such powers and prerogatives.

Going back to section 1 of the resolution, I assert again that in the language "to take all necessary measures to repel any armed attack against the forces of the United States," there is no question about the inherent power of the President to do so without a resolution.

I have stated that if this proposed grant of power implies that the right of the President of the United States to take all the necessary measures to "repel any armed attack against the forces of the United States"—which former Secretary of State Dulles and Admiral Radford asked for in 1954—includes the authority to commit an act of aggression before an act of aggression is committed against the United States, on the basis of the theory of a preventive war, that is a dangerous doctrine. It cannot possibly be reconciled with the Constitution; nor can it be reconciled with sound national policy.

I remember that in 1955 former Secretary of State Dulles said to me, "Would you wait for the Red Chinese to strike?"

My reply was that when I thought of the billions of dollars I had joined in voting for the defense of my country, including great sums of money for intelligence service, if there were particular concern about a Red Chinese air base closest to the coast of Alaska and our intelligence agency had given us reports as to what it had found in regard to the size of that Communist air armada, I would wish to believe that when the first Red Chinese plane left the ground and started for Alaska, our alerting stations and our intelligence would be such that our planes would meet it before it ever reached Alaska.

At that time, I also made perfectly clear to former Secretary of State Dulles and former Chairman of the Joint Chiefs of Staff Admiral Radford, that under international law we could not possibly justify our being an aggressor in the first instance. I frankly stated that it was a risk which we must run in order to remain in a sound constitutional framework under our system of government.

Why should we give arbitrary discretion to mere men who happen to hold office at a given time, when the American people and their lives are at the mercy of the discretion of those mere men?

One of the great protections that the American people have in constitutional theory, under our form of government, is that we are a government of laws and not of men. Granted, we are a government of laws, it is also true that those laws must be administered by men. Human failings being what they are, we must always keep a check on the exercise of the discretion of mere men who administer government, or we shall constantly run the risk of being victimized by arbitrary and capricious discretion.

In 1955, I made clear that I had observed too frequently the psychology of trigger-happy military men, and the psychology of diplomats who convince themselves that it is necessary to pull the trigger before an act of war has been committed against us.

Mr. President, we like to boast—and for the most part our glorious history sustains the boast—that we are not an aggressor nation. Resolutions such as the pending joint resolution, as well as the Formosa resolution and the Middle East resolution, frequently raise grave doubts among our friends in the free world as to whether there are not great differences between our theory and our practice.

So, then as now, on the constitutional grounds to which I objected in the Formosa resolution, I voted against it—as I shall vote against the pending joint resolution today.

I repeat this, so that there can be no misunderstanding of my position: So far as the inherent right of the President to meet an aggression in the self-defense of the Republic is concerned, the pending resolution is not needed. The President has that inherent right now, under the Constitution. But, so far as having any right to commit an act of war in the absence of an aggression, he does not have that right under the Constitution. The pending resolution cannot give it to him under the Constitution.

Of course, we can sanction his exercise of that unconstitutional right. That is what the Senate will be doing today in adopting the pending resolution.

In constitutional effect, the Congress is saying to the President, "You can go ahead and act unconstitutionally and we will look the other way," because it is known that there is no existing procedure which would be effective by which we can check the President. Once the pending resolution is adopted, the Senate thereby will sanction such conduct. There is no way to check it by taking the case before the U.S. Supreme Court for final determination of the constitutionality of this course of action in time to be effective.

I am asked, "Should we not amend the Constitution in this respect?"

I believe that we should amend it by clearly denying to the Congress the power to pass such a resolution as this one. Because the past situations such as are present in this case are such rarities, so extraordinary and so novel, I am enough of a political realist to know that we shall never get anywhere with that kind of constitutional amendment. The only time we become interested in it is when a crisis such as this exists. When a crisis exists, it is so serious that people are not going to become interested in a very important constitutional abstraction, even though it is a constitutional abstraction which after all, is determinative, in the last analysis, of their rights as free men.

In times of hysteria and high national emotionalism, it is only human for most people, particularly those not sitting in the seats of legislative responsibility, to be willing to look the other way on such questions as I raise in this debate again this year. But I believe it is so dangerous to establish another precedent to-

ward the creation of a government by Executive supremacy in the United States, that I am willing to stand up and oppose the overwhelming majority against me, and take all the castigation and criticism which is bound to be heaped upon my head, for a constitutional principle that I am sincerely convinced is vital to the very preservation of this Republic.

I am satisfied that if we continue to build up a wall, brick by brick, precedent by precedent, which separates the executive branch of the Government from the people resulting in making the executive branch of the Government more and more inaccessible to direct control, we shall endanger the very survival and preservation of the Republic and our constitutional system upon which it is based.

Mr. President, if it is self-defense we are concerned about, we do not need this resolution. If it is to empower the President to commit an act of aggression before an act of aggression is committed upon us, as was the program in 1955, and as was openly testified to, let me say—I can say it now—as the transcript will show, by the Secretary of State and the Chairman of the Joint Chiefs of Staff at the time, it is a dangerous precedent, a power that never should be given, never should have been granted by the Congress, and should not be granted now under the pending resolution.

Turning to the language I have read, "to repel any armed attack against the forces of the United States," does that mean that the attack must have started, or does it mean that all the President and his advisers have to conclude is that in all probability an attack may be made.

That is preventive war. There is no power in the Constitution for the President of the United States to wage a preventive war. I cannot imagine a set of hypothetical facts which would cause the President of the United States, the Congress, the Department of State, and those in the Pentagon Building to become alarmed about the danger of an attack against the United States that cannot be taken immediately to existing channels of international law. The right of national self-defense would still vest in the inherent constitutional power of the President.

The fact that we are not doing very much about using those channels of international law does not excuse us. And as we use those channels of international law, the inherent power of the President to defend this country continues. With all the military might of this country at the present time, the world knows that that power of self-defense is adequate to protect the security interests of this country until the processes of international law can run their course.

There is no question about the meaning of the next four words on line 6 of page 2 clearly authorize—"to prevent further aggression."

That is when the whole realm of judgment upon the part of the President of the United States comes into play. That is when we substitute the President for article I, section 8 of the Constitution.

That is when we say to the President, "You can go beyond acts of immediate self-defense of the Republic. You do not have to come to the Congress, as Franklin Roosevelt did after Pearl Harbor, and ask for a declaration of war. You can proceed in the exercise of your judgment to prevent further aggression."

The uninformed, unenlightened editor of the Washington Post who wrote that stupid editorial in this morning's paper has not the slightest conception of the meaning of those words. If he had, he would not have written in his editorial:

There is no substance in Senator Morse's charge that the resolution amounts to a "predated declaration of war."

That is exactly what those words mean. It is incontrovertible. The President would not have to come and ask for a declaration of war. He would be given sanction by Congress to make war without a declaration of war. It will be noted that I do not say "the authority," for the authority cannot be granted by Congress. Congress cannot amend the Constitution in this way. This does not conform to the amendment processes of the Constitution. It is proposed that Congress sanction the action of the President in making war if, in his judgment, he thinks making war is necessary to prevent further aggression. I shall come to that point later. But that is why I said last night that so many want to turn away from the most delicate question involved in the debate. That is why I said last night—and shall discuss it at greater length today—that the President and our country were quite right in meeting the attack on the destroyers last Tuesday night. But, in my judgment, that did not empower him, under the right of self-defense, to try to proceed beyond protecting those ships, and strike the mainland of North Vietnam. In my judgment, that constituted an act of war—not an act of self-defense.

Mr. President, at that point, under our treaty commitments, our allegations in regard to the absolutely inexcusable and illegal attack on our ships on the high seas by the North Vietnamese forces should have been taken immediately to the United Nations. As to that attack we had an unassailable case. They attacked us on the high seas and we responded in self-defense.

We were clearly within our international law rights. Unfortunately we did not stop there. We then went beyond our rights of self-defense and proceeded to bomb the mainland of North Vietnam.

We either support a rule of law procedure or we ignore it. We ignored it. We had an irrefutable case of violation of international law by North Vietnam in connection with their attack on our ships. We would have a hard time, under international law, supporting our subsequent attack on North Vietnam in the absence of a declaration of war. There will be those who will say that that is cutting the line pretty fine. Nevertheless, the difference is between acting within the Constitution and acting outside of it. It is the difference between staying within our rights of self-defense

and proceeding to turn ourselves into an aggressive warmaking power.

No one despises, hates, and repudiates more than does the senior Senator from Oregon, communism, Communist regimes, including North Vietnam, Red China, Cuba, Red Russia, and all of the rest. But I do not propose to allow my hatred, my detestation, my complete disgust with the police state methods of a Communist regime to cause me to give support to a proposal to go outside the constitutional guarantees of our system of government. I want to keep my Government in an impregnable position, so that we can go before any international tribunal and establish our case, and not have thrown back in our teeth a showing to establish a series of allegations in regard to the exercise of power and military might on the part of the United States that takes us outside the framework of international law.

There is no doubt that the language, "to prevent further aggression," rouses all the objections that I made in 1955 to the Formosa resolution. This proposal seeks to vest in the President of the United States the power to carry on a so-called preventive war. By preventive war, we mean making a war against another country because it is assumed that that country is about to make war, or contemplates making war, against the United States. Such authority is not to be found in the Constitution. The Congress cannot give such authority to the President of the United States as far as the Constitution is concerned. It can sanction the exercise of the authority, but the exercise of the authority would still be just as much outside the Constitution as though the President acted without the joint resolution. The joint resolution could never make legal the exercise of such authority by the President of the United States.

That is not the only place in the resolution in which we would give to the President a preventive war authority. I refer the Senate to section 2, line 7, which provides—

SEC. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution—

It has been agreed, by way of an amendment to the joint resolution, that that means the Constitution of the United States—

and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

Mr. President, that is an awful power to give to a President. If the Washington Post does not think that that is a predated declaration of war, the editor ought to start asking himself some questions about certain hypothetical situations.

Shall we allow any President of the United States to decide, with no check—that is, no check for immediate applica-

tion—to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom?

We had better pause long enough to take a look at the nature of some of the countries involved, because many of the countries are not free countries. Many of those countries are totalitarian countries. Many of those countries are dictatorships. It is wishful thinking to assume that it would be safe to give the President of the United States unchecked authority to proceed to use American boys in defense of those countries on the basis of claims that acts of aggression are being committed against them by some other country, without a congressional check. Have we reached the point in American foreign policy where we are going to permit the President to send American boys to their death in the defense of military dictatorships, monarchies, and fascist regimes around the world with which we have entered into treaty obligations involving mutual security, no matter what the provocation and no matter what wrongs they may have committed that cause an attack upon them? Are we going to do that without a check of Congress by way of a declaration of war? What are we thinking of? What time factor would justify such precipitate action?

Mr. President, this Senator will never vote to send an American boy to his death anywhere in the world under any such language as is contained in that part of the joint resolution. It is of utmost importance that we surround that language with a congressional check. And there is none.

One could say, as I said a few moments ago, "But, Mr. Senator, the Congress can terminate this authority by a concurrent resolution."

I have already pointed out the kind of hassle that such a situation would create, and the kind of disunity that such action would produce. The American people should be protected from a possible abuse of the authority. So long as abuse of a procedure is possible, the procedure should be modified to prevent the possibility of the abuse.

Mr. President, that is why it is so important that we hold any President—I care not who he is—to Article I, section 8, of the Constitution in the carrying out of mutual security agreements. We should hold him to the approval of the Congress before the fact and not after the fact.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. GRUENING. I wish the Senator would discuss what seems to me the obvious escalation of the war by the authority granted in section 2 of the joint resolution—

To assist any member or protocol state of the Southeast Asia Collective Defense Treaty.

Mr. MORSE. I was about to do so.

Mr. GRUENING. Hitherto we have been dealing wholly with South Vietnam.



The President has stated his purpose, which is quite evident—not to extend the war.

In the section to which I referred we are including a number of additional nations into which we could send our Armed Forces. The joint resolution would extend the prospective war all over southeast Asia, would it not?

Mr. MORSE. It certainly would, with no check on it.

Mr. GRUENING. In other words, in effect, the Congress would authorize an escalation of the war to Thailand, Laos, Cambodia, North Vietnam, South Vietnam—and what else?

Mr. MORSE. Pakistan.

Mr. GRUENING. I have in my possession, which I intend to present when the foreign aid bill comes before the Senate, a statement from a high official of Pakistan indicating that his government has no intention of using the nearly \$1 billion in military aid that we have given to Pakistan to help out our cause because it is needed in their prospective difficulties with India.

Mr. MORSE. The Foreign Minister of Pakistan in effect made that statement in Washington, D.C., when he addressed the Press Club not so many weeks ago. He was asked by a newspaperman at the meeting to state whether or not Pakistan could be counted upon to be of assistance in southeast Asia. He said, "No."

He gave his reason. His reason was Pakistan's involvement with India. Pakistan has no intention of responding to any calls to SEATO members.

I yield further.

Mr. GRUENING. It seems to me that the joint resolution presents an unlimited authorization for war anywhere in southeast Asia, including Pakistan, which is really not in southeast Asia, but which is in south central Asia, and it seems to me a very dangerous, unwarranted, and unprecedented action.

Mr. MORSE. Do not forget, Pakistan is a member of SEATO; its obligations to South Vietnam are the same as ours.

Mr. GRUENING. Yes; but it has shown no disposition whatever to carry out its obligations under that treaty.

Mr. MORSE. That is correct; but, she being a SEATO member, we would be obligated to go to her assistance.

Mr. GRUENING. This resolution, in effect, is an authorization which would be the equivalent of a declaration of war by the Congress. Would it not be?

Mr. MORSE. I think so.

Mr. GRUENING. That is one thing I am very apprehensive about. If we should get into an all-out war, which I fear may happen, this resolution would be considered the authorization by the Congress to so proceed. Would it not?

Mr. MORSE. That is correct.

Mr. GRUENING. I expressed my views on it yesterday. I do not at all criticize the President—in fact, I think the President was correct—for repelling the assault, whatever may be the background, on American vessels and destroying the attackers. I approve of that action, but the resolution goes far beyond such action, which apparently precipitated the request by the President for such a resolution, and covers the whole

of southeast Asia area. I distinctly disagree with the administration policy.

As I have stated repeatedly, this was a policy which the President inherited, and from which I hoped he would disengage himself. He inherited it from the Eisenhower administration, from John Foster Dulles, when we picked up the fiasco the French had engaged in with the loss of over 100,000 young lives. We contributed vast sums of money to that operation. It was obviously a failure.

Now we have escalated it, as could be foreseen, and as I in fact did foretell, and as the Senator from Oregon foretold, into an all-out war in southeast Asia. Regrettably, the end is not yet. I am extremely fearful about the situation.

This is a moment when patriotic passions are aroused, and it seems indicated that we should do whatever the President asks.

It is very painful for those of us who disagree with the policy. I felt it was wrong in the beginning and have repeatedly stated for 5 months that I thought it was wrong, and that we should continue to try to find a peaceful solution; that we should take the issue to the United Nations, and seek a cease fire. It is, as I have said, painful not to support the President, but I cannot do so in good conscience under the blanket terms of this resolution.

Mr. MORSE. As the Senator knows, last night it was impossible for him, because of a previous appointment, to be present when I paid my high respects to him for his courage, statesmanship, and leadership in this matter for many months past. I said last night that the Senator from Alaska had put the issue squarely.

Now, in a very few moments, the Senator from Alaska has summarized succinctly the major points of the address I have been making on the floor of the Senate the last hour and 15 minutes. I wish to formalize those points before I come to the next major issue which I shall discuss in my speech.

What I have said expresses my views as to the power that would be granted to the President in the resolution. It is what I have called an undated declaration of war. I summarize the points as follows:

First, the unlimited language of the resolution would authorize acts of war without specifying countries, places, or times. That language cannot be reconciled with article I, section 8 of the Constitution. It amounts, in fact as well as in law, to a predicated declaration of war.

Next, as I said last night, we have armed forces in South Vietnam, some 20,000, or more, apparently, with the number increasing by plane load after plane load.

Senators can bemoan and warn against a land war in Asia, but the resolution would put the United States in the middle of the Vietnam civil war, which is basically a land war.

Under the resolution Congress would give to the President of the United States great authority, without coming to the Congress and obtaining approval by way of a declaration of war, to carry on a land

war in South Vietnam. The choice is left up to him.

As I said last night, the interesting thing is that South Vietnam, with a population of 15 million, and an armed force of 400,000 to 450,000 men, has been unable, through all the years of the holocaust in South Vietnam, to put down a Vietcong force of a maximum of 35,000 men. The Pentagon and the State Department, in testifying before the committee, say the number probably does not exceed 25,000. We have to have more than 20,000 American boys over there, to die in whatever numbers they are killed, in an attempt to win that war. And for whom?

Mr. President, the leaders of this Government keep talking about freedom in South Vietnam. There is not one iota of freedom in South Vietnam, for the South Vietnamese people, by and large, do not know what the word means. I quoted, in a speech the day before yesterday, a letter I received from a Republican Member of Congress, in full support of the position I have taken on this issue. I paraphrase it, although the quotation is already in the Record. He said that the average man of North or South Vietnam would not know what democracy looked like if he met it on the main street of Saigon. The difference between their governments is like the difference between tweedledum and tweedledee. But both are interested in the next bowl of rice.

That is why this Senator has been pleading for years, in connection with foreign policy, that the great need of the United States in the field of foreign policy is to export economic freedom, and to stop exporting military aid, for our military aid makes Communists. Prepare the seedbeds of economic freedom for the masses of the people of any country and we prepare for the growth of freedom. Unless the people are first economically free, they cannot be politically free; and, what is more important, they will never understand political freedom until they are first economically free.

There is great danger now that Congress will give to the President of the United States power to carry on whatever type of war he wishes to wage in southeast Asia. That is why I said, in answer to an argument that was made on the floor of the Senate yesterday, apparently some colleagues are laboring under the illusion that perhaps the resolution would reduce the danger of fighting a land war in Asia. There is not a word in the resolution that has any bearing on the subject. To the contrary, the broad, sweeping, sanction of power—note my language, because it cannot be done legally—the broad, arbitrary, sweeping power Congress is sanctioning for the President would in no way stop him from sending as many American boys as he wants to send into South Vietnam to make war.

As the Senator from Alaska has said over and over again, and as I have joined him in saying, all South Vietnam is not worth the life of a single American boy; and the killing of a single American boy in South Vietnam is an unjustified kill-

ing. It ought to stop. It is not going to stop until we turn our warmaking policy into a peacekeeping policy. It is not going to stop until we insist that our alleged allies in SEATO come in with as many divisions of peacekeeping units as are necessary to keep the belligerents apart. It is not going to stop until the United Nations, under the procedures of international law, can come in and keep the peace and set up whatever controls are needed, by way of United Nations trusteeships if necessary, to bring that war to an end.

This result will not be achieved by unilateral military action. It makes me sad to have to say it, but I am satisfied that history will record this horrendous mistake of the United States in its false assumption in the year 1964 that it could supplant in South Vietnam military control by Asiatics with military control by the United States.

We could never win such a war. We might win military victory after military victory. If we did not stop the escalation, we would kill millions of people, because the escalation, step by step, would lead to all-out bombing of North Vietnam and Red Chinese cities. When we were through, we should have killed millions, and won military victory after military victory, but we should still have lost the war.

The United States can never dominate and control Asia, with 800 million people in China alone. That kind of war would create a hatred for the United States and for the white man generally that would persist for centuries. Dominating Asia, after destroying her cities and killing her millions by bombings—that is the danger that we are walking into—would not make the white man supreme in Asia, but only hated.

We know what the floods of human history do. Eventually the white man will be engulfed in that Asiatic flood and drowned.

I do not know why we should be so shortsighted. It is difficult to follow the processes of international law. I suppose the saddest announcement that has been made recently is that of the Secretary General of the United Nations, Mr. U Thant, from Burma, who is not even a shadow of the great world statesman who preceded him, Dag Hammarskjöld. He announced in Washington yesterday his grave doubts as to whether the Security Council could help resolve the matter.

Mr. President, we will never know until such procedures are tried. The Secretary General should have been using his voice and his influence to persuade the Security Council to carry out its obligations under the charter. Not a word has been heard from the Secretary General in regard to the power and authority of the General Assembly of the United Nations.

The Secretary General knows the power of the General Assembly if the Security Council is incapacitated by a Russian veto. I repeat what I have said for many months past on the floor of the Senate. I wish to put Russia on the spot.

Let her exercise her veto, if she dares. The rest of the world will be her judge. We did not find her following that course in the Middle East, or in Cyprus, or in the Congo.

I was highly disappointed by what I considered to be the abdication of leadership and responsibility on the part of the Secretary General of the United Nations in the unfortunate statement he made in Washington yesterday.

The next point I wish to make, by way of summary, is that the fear expressed by some Senators in this debate against involvement in a land war means no more than the reservation expressed in 1954, that we should not become militarily involved in South Vietnam. We did not intend then to do any of the things we are now doing in South Vietnam, but we have done them. That pious expression of intention in 1954 came to naught. This policy is sucking us into military involvement deeper and deeper, and will continue to suck us in, under this resolution, deeper and deeper.

Mr. President, you and I will be gone in a few years; but I am satisfied that the end of the road that we are traveling today will be the engulfment and drowning in world history of the influence of the white man in Asia, if we follow this course of action.

I despair frequently at the fact that so often people in positions of responsibility are inclined to think only of the present, and not a century hence. Yet, when we are dealing with matters of foreign policy and the roots of peace or war, we need to remember that the seed we plant today, be it a seed of peace or seed of war, is the seed that will finally come to fruition in a blossoming plant, perhaps a 100 years hence.

I say most respectfully and sadly that in my judgment, in this resolution, we are planting seeds not of peace, but of war. Those who will follow us in the years to come will cry out in anguish and despair in criticism over the mistake that was made in 1964 when the joint resolution was passed.

Why do we do it? I do not know. We are dealing here basically with a civil war between conflicting forces in South Vietnam. So many in this debate have overlooked the geographic problem. Let us not forget that prior to the Geneva accord of 1954 North Vietnam and South Vietnam were one people. One could go into North Vietnam today, after he had been in Saigon, and think that he was still in South Vietnam. He would feel the same way if he first went to North Vietnam and then to Saigon. They are the same people. Unfortunately, as a result of the partition under the Geneva accord in 1954, they were divided into two countries, North Vietnam and South Vietnam.

Many of the people in South Vietnam who are involved in this civil war have close relatives in North Vietnam. One reason why the military dictator-puppet whom we are supporting in South Vietnam, Khanh, is having so much difficulty with the mass of the people—and he is having a serious difficulty—is his insist-

ence that he must stage a blood bath in North Vietnam. He will never get the support of the people, because a blood bath would kill the relatives of hundreds of thousands of people in South Vietnam; and vice versa.

It is a tragedy that the Vietcongs try to subvert South Vietnam, but that is a reality. The solution is not the exercise of military might. As a critic of De Gaulle on many points, I say that the sad fact is that the De Gaulle solution is far superior to the American solution. The solution is a political and economic solution, not a military solution. De Gaulle is right. We should go to the conference table. We should not take the American position that we will go to the conference table only after we dominate the battlefield.

If we ever establish that principle, we shall have assassinated the rule of law as an instrumentality for settling disputes among nations. If we ever take the position that we must first dominate the battlefield, that we must be in control, that our orders must be carried out, then going to a conference table will mean only that the dominating authority tells the others at the conference table what, in effect, Adlai Stevenson unfortunately said in the sad speech he made some weeks ago before the Security Council—that, in effect, we are going to do what we think is necessary, and the others can like it or not. When he did that, as I said, he extinguished his lamp of world statesmanship.

We cannot follow the theory that underlies the present policy of our Government; namely, that until we first dominate the battlefield, we will not follow De Gaulle's suggestion to settle this dispute at the conference table. De Gaulle is right. This problem will never be settled except by a political and economic settlement. It can never be settled by the imposition of the military might of the United States upon Asia.

Mr. GRUENING. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I am glad to yield to the Senator from Alaska.

Mr. GRUENING. As I have said on previous occasions, my mail has been running several hundred to one in favor of withdrawal; in favor of the policies I have urged. Only this morning, I am in receipt of a number of telegrams which relate to the pending joint resolution. I shall read one of them into the RECORD. It comes from Oakland, Calif.:

OAKLAND, CALIF., August 6, 1964.

Senator ERNEST GRUENING,  
Washington, D.C.:

The statement of policy of Oakland's Women for Peace representing 400 women in regard to Vietnam. Because U.S. military involvement in Vietnam endangers world peace and because the American people have not been properly informed about the magnitude and significance of our involvement, therefore we urge full public discussion and congressional debate to explore nonmilitary alternatives to the problems. We urge that the United Nations be employed to negotiate settlement and we urge that the 14-nation committee set up by the Geneva conference be reconvened to implement the United Nations settlement.

OAKLAND WOMEN FOR PEACE.



Mr. President, I have a number of other messages, which if time permits, should be in the Record. They are from Palo Alto, Calif., Van Nuys, Calif., from a professor at Denison University, from New York City, from Cambridge, Mass., from Fresno, Calif., from Richmond, Calif., several from Washington, D.C., from South Kortright, N.Y., from Framingham, Mass., from Berkeley, Calif., from Kemberton, Pa., from Baltimore, Md., from Fairlawn, N.J., from South Laguna Beach, Calif., from Null Valley, Calif., from Flushing, N.Y., from Ann Arbor, Mich.

Mr. MORSE. Mr. President, will the Senator from Alaska yield, to enable me to clarify the procedural situation?

Mr. GRUENING. I yield.

Mr. MORSE. I wish to yield the floor and save the remaining time for the Senator from Alaska to use for the final rebuttal, after the proponents of the joint resolution have used their hour. We have only 8 minutes left.

The telegrams are important. Senators will find in the Record 10 pages of telegrams that I received yesterday in response to the speech I delivered the night before last in opposition to the joint resolution.

I am satisfied that at the grassroots of America the people are overwhelmingly with the Senator from Alaska and the Senator from Oregon. My mail is running more than 100 to 1 in support of our position.

I shall yield the floor; and later, at the close of the debate, the Senator from Alaska will make the final statement.

Senators who are pleading for the passage of the joint resolution are thinking of President Johnson. I yield to no one in that respect. I have complete confidence in and high regard for President Johnson, and shall campaign with all my heart for his reelection next November. I merely think he is dead wrong on this issue. The most loyal service I can render any President is to disagree with him when I think he is wrong and to try to correct his mistaken course of action.

Mr. President, on yesterday I asked unanimous consent to insert in the Record a cross section of the messages that I had received in connection with the position I had taken on the predated declaration of war resolution in respect to Asia which passed just a few minutes ago.

I said that they were all favorable except two. Two of them had questioned the human source of my paternity. I did not think that under those circumstances they would be very fitting messages to insert in the Record.

I now ask unanimous consent to have printed in the Record a cross-section sampling of part of the messages that I have received today in respect to my position in opposition to the predated declaration of war resolution that the Senate, in my judgment, unfortunately passed today. All the messages I have received today are favorable. I received no messages in opposition to my position.

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

(See exhibit 1.)

Mr. MORSE. Mr. President, I now yield the floor, with the understanding that the distinguished junior Senator from Alaska [Mr. GRUENING] will close the debate after the proponents of the joint resolution have spoken.

#### EXHIBIT 1

PHILADELPHIA, PA.,  
August 2, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

You may be speaking to an empty house but the people are listening. Keep talking.  
J. H. FRANCO.

EUGENE, OREG., August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

Please continue as national conscience. Job needs someone with guts.

Mr. and Mrs. D. M. MORFORD.

Mr. and Mrs. G. D. SLAWSON.

Mr. and Mrs. R. M. WIRFF.

PORTLAND, OREG.,  
August 7, 1964.

Senator WAYNE MORSE,  
U.S. Senate,  
Washington, D.C.:

Support your effort while requesting practicality and moderation.

JAMES A. HUNT.

PORTLAND, OREG.,  
August 7, 1964.

Senator WAYNE MORSE,  
U.S. Senate,  
Washington, D.C.:

I commend your courageous and forthright vote against U.S. military action in Vietnam.

ROBERT MORRIS SMITH.  
WASHINGTON, D.C.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

You are the only sane American leader who can save us from certain disaster. Help.

Mrs. SELMA R. REIN.  
NEW YORK, N.Y.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

CADA admires greatly the courage you displayed yesterday when making the statement on Vietnam. Although we are divided on the solutions of the problems in Vietnam we stand united with support of you as a positive force in the Senate campus. Americans for Democratic Action urges you not to surrender your very high conviction.

ALBERT REINER,  
Member, National Executive Committee  
Campus, Americans for Democratic Action.

DETROIT, MICH.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

My admiration to you for your courageous statesmanship in this national crisis.

Dr. SIDNEY LEITSON.  
DENVER, COLO.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Thanks for courageous stand against Asiatic war. Persuade President to let United Nations settle conflict.

NATHAN L. BEATTY.

ARLINGTON, VA.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Support your determined stand on policy in southeast Asia.

THELMA DUVINAGE.  
NEW YORK, N.Y.,  
August 7, 1964.

Hon. Senator WAYNE MORSE,  
Washington, D.C.:

Congratulations for your brilliant exposition of true conditions in South Vietnam.

KATHLEEN MALLOY.  
DETROIT, MICH.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

Applaud your courageous stand South Vietnam representing best interest of American people.

MARY DAVIS.

HUNTSVILLE, ALA.,  
August 7, 1964.

Senator WAYNE MORSE,  
U.S. Senator From Oregon,  
Washington, D.C.:

Heartily endorse your stand against the proposed aggressive foreign policy of the United States.

WILLA FRANK.

NEW YORK, N.Y.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

Thanks for Vietnam speech. Keep it up.

GWEN REYES.

NEW YORK, N.Y.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

Thanks for saying in your speech what had to be said.

ALFRED COX.

DETROIT, MICH.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

Support your steadfast stand for Vietnam peace. America needs your voice.

Mr. and Mrs. EMANUEL GEAFF.

BURLINGTON, MASS.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Congratulations on your stand against war. We are not always right. God bless you.

JAMES and MARY BEAUDRY.

NEW YORK, N.Y.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

More power to you. Hope you win more support.

M. MENDELL.

NORTHBRIDGE, CALIF.,  
August 7, 1964.

Hon. WAYNE MORSE,  
Senate Office Building, Washington, D.C.:

You are right. International dispute should be settled by discussion and action in the United Nations rather than by war and bombs in this age of massive nuclear weaponry.

A carte blanche declaration of war now might unleash trigger happy GOLDWATER in

the unhappy event that he should become President.

Mrs. T. M. STOUT.

GREAT NECK, N.Y.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

We support your position and your courage. Please keep up the fight.

Mr. and Mrs. CALVIN GOOD.

BASKINGRIDGE, N.J., August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

I approve of your stand on Vietnam.  
WINIFRED J. HEARN.

FRAMINGHAM, MASS., August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Congratulate and support your courageous stand against military madness in southeast Asia.

MARGARET WELCH,  
PENELOPE TURTON.

NEW YORK, N.Y., August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

Stand firm. Oppose any further action in Vietnam. Congratulations your independence.

ANNA V. COLLOMS.

BETHESDA, MD., August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

America fortunate in having benefit of your voice in Congress on Vietnam. Confident public supports your despite Congress.

LOUISE GREENWOOD.

WASHINGTON, D.C., August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

My most esteemed Senator, may the stars and stripes wave forever while such splendid and honest folks like you and Senator GREENING. Both of your statements about recent U.S. action in North Vietnam gives me reassurance that not all America has gone completely nuts with arrogance and immorality. May the Lord bless you both for your courage and integrity.

Sincerely,

JOHN E. TAHER.

DETROIT, MICH., August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Congratulations on your speech on Vietnam. Best wishes.

ROBERT BRYCE.

NORTH HOLLYWOOD, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Support your position on southeast Asia crisis. Urge negotiate immediately to prevent world conflict.

Mrs. ROSE BOIN.

DETROIT, MICH., August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

The following is copy of wire sent to Senator PHILIP HART: "We urge you to support Senator Morse's proposal to place the Vietnam situation before the U.N. We have studied the wisdom of this in previous situa-

tions. We are convinced it is wise on this occasion."

Reverend and Mrs. ESTEL I. ODLE.

LA JOLLA, CALIF., August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Thank you for taking a stand on another escalation of war in North Vietnam. Thank God for at least one man of reason and courage in the Senate.

Dr. and Mrs. JOHN H. TAYLOR.

ST. PAUL, MINN.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building, Washington, D.C.:

Thank you for your loyalty to the U.S. democratic form of Government and to its people. Keep the good work up.

OLGA SELKE.

YORBA LINDA, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building, Washington, D.C.:

Yours is only voice of sanity in Washington. Keep talking.

Mr. and Mrs. JOSEPH L. McNICHOLS.

NEW YORK, N.Y.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building, Washington, D.C.:

Commend you for courageous Vietnam stand. Exert all influence to prevent escalation. Urge negotiated peace.

STEPHEN SLANER.

BERKELEY, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

Complete support for your courageous stand. Democratic alternative to war and communism must be found.

Mr. and Mrs. RICHARD ROMAN.

COSTA MESA, CALIF., August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

Congratulations your courage and moral stand during this crisis. Good luck with your speech.

STANLEY GOTTLIEV.

NEW YORK, N.Y., August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Grateful for your courageous stand in Vietnam crisis. You are a brave honest man.

EUGENIE S. INTERMANN.

SAN BERNARDINO, CALIF., August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Urge immediate submission of entire Vietnam situation to United Nations.

EMMERSON and CAROLYN SIMMONS.

BERKELEY, CALIF., August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

DEAR SENATOR MORSE: May I thank you for your stand on the Vietnam incident and your suggestions to cut foreign aid. Thank you for your courage and effort.

Sincerely,

Mrs. A. P. ALLEN.

PHILADELPHIA, PA., August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building, Washington, D.C.:

Congratulations on your stand regarding Johnson's air raid. I pray your speech to-

morrow will prove persuasive. More power to you.

ARNOLD R. POST.

NEW YORK, N.Y., August 6, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

Your heroic and outspoken stand on Vietnam merits vigorous support. We support your action.

PHILIP SHUGAR.

SKOKIE, ILL., August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building, Washington, D.C.:

I commend you highly for your courage in virtually standing alone on the resolution of the Vietnam crisis. I only wish my own Senators DOUGLAS and DIRKSEN would have equal stature.

HUGH EDWARDS AND FAMILY.

ENCINO, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

Few persons have courage enough to appear as good as they really are. Congratulations and good luck on your position concerning North Vietnam.

Mr. and Mrs. FREDERICK ARNOLD.

HOUSTON, TEX.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

Keep up your great fight for sane foreign policy.

Mr. and Mrs. MARTIN ELFANT.

NEW YORK, N.Y.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Congratulations and thank you for your stand against war in Asia. Please continue your efforts.

W. G. POVEY, M.D.

STONYPPOINT, N.Y.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate House,  
Washington, D.C.:

We support your Vietnam stand and encourage you to continue.

PAUL and VERA WILLIAMS.

GREATNECK, N.Y.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Urgently request continuation of your efforts for peaceful negotiations in Vietnam.

NORMA YARVIN.

NEW YORK, N.Y.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

Keep the message going on Vietnam, we are behind you.

HOWARD and LEAH FRITZ.

DOWNERS GROVE, ILL.,  
August 7, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

I laud you on your courageous stand on the crisis on Vietnam.

Mrs. DOTTIE SHERLOCK.

NASHVILLE, TENN., August 7, 1964.

Senators WAYNE MORSE and  
ERNEST GRUENING,  
The Capitol, Washington, D.C.:

Congratulations on being the only two Senators and courageous Members of the



whole U.S. Senate and House of Representatives who have not surrendered their souls and consciences to an unprincipled order that will lead to the ultimate destruction of this Nation and the world.

Mrs. WALTER CURRY.

BELAIR, Md.,  
August 7, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Heartfelt thanks and strong support for your wise courageous decision regarding Vietnam.

ADELAIDE NOYES.

WATERTOWN, MAINE,  
August 7, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Admire your courageous stand. Am sure many level head Americans are with you.

HENRY VARNUM POOR.

SEATTLE, WASH.,  
August 7, 1964.

SENATOR WAYNE MORSE,  
Washington, D.C.:

Thankful for your stand on Vietnam. You speak for many citizens who oppose brutal cruelties.

ROBERT and JOSEPHINE STEPENS.

MILWAUKEE, WIS.,  
August 7, 1964.

SENATOR WAYNE MORSE,  
U.S. Senate, Washington, D.C.:

Support your stand and vote against resolution reinforcing outrageous action of bombing North Vietnam.

Mr. and Mrs. JOHN S. WILLIAMSON, Jr.

ELLISLEY, MASS., August 7, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Courage. Keep true facts on Vietnam before public.

KATHARINE KIRK STERN.

BELL, CALIF.,  
August 7, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Our deepest gratitude to you for presenting the truth about Vietnam. You have illustrious precedence for your views and courage, notably Lincoln's on the Mexican War. Please continue your wonderful work.

Mr. and Mrs. FRANK LYMAN.

NEWPORT BEACH, CALIF.,  
August 7, 1964.

SENATOR WAYNE MORSE,  
Washington, D.C.:

We are grateful for your sanity stand fast.

NELL LEICHPRESS.

SANTA CRUZ, CALIF.,  
August 7, 1964.

SENATOR WAYNE MORSE,  
Washington, D.C.:

Thank you for your stand on Vietnam.

HERBERT and ELEANOR FOSTER.

SILVER SPRING, Md.,  
August 7, 1964.

SENATOR MORSE,  
Senate Office Building,  
Washington, D.C.:

Wholeheartedly support your endeavors to have Vietnam problem negotiated.

Mrs. J. WEICHBROD.

JACKSON, MICH.,  
August 7, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

We applaud your South Vietnam stand. Many Americans agree please continue your courageous fight.

Mr. and Mrs. DOULASS BENNETT and JOHN BENNETT.

TORRANCE, CALIF.,  
August 7, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

I support your "no" vote against military retaliation against North Vietnam.

Mrs. VICTOR M. COLTON.

NEW YORK, N.Y.,  
August 7, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Congratulations your patriotic stand for peace in southeast Asia.

W. C. KELLY.

DOWNERS GROVE, ILL.,  
August 7, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Your stand of Vietnam crisis is courageous. Congress must fully investigate in prior Vietnam conflict.

KATHRYN PARNELL.

SILVER SPRING, Md.,  
August 7, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Thank you for your courageous stand in Vietnam crisis.

BERNICE STEELE.

BROOKLYN, N.Y.,  
August 7, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

With you is our hope for the future. Continue your wonderful work and stand on Vietnam.

Mr. and Mrs. J. SOLOMAN.

EAST HAVEN, CONN., August 7, 1964.

SENATOR WAYNE MORSE,  
U.S. Senate,  
Washington, D.C.:

I heartily support your position on Vietnam. Please continue as sole voices of American conscience.

Dr. Y. FILBY.

NEW YORK, N.Y., August 7, 1964.

SENATOR WAYNE MORSE,  
Senate Office Chambers,  
Washington, D.C.:

Have wired Senators, Congressmen, urging they support your splendid stand.

JACOB EPSTEIN.

CHEVY CHASE, Md., August 7, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Appreciate your wonderful work in Senate and especially your stand on Vietnam.

RUTH BENDER.

SCARSDALE, N.Y., August 7, 1964.

SENATOR WAYNE MORSE,  
Washington, D.C.:

We agree with your statement that war should not be declared by resolution. We

enthusiastically applaud your lone stand against the Johnson resolution. It was the sole act of sanity in the national news today. You have spoken for peace-thinking Americans. Our very deep appreciation.

Mr. and Mrs. PAUL BRENNER.

BROOKLYN, N.Y., August 6, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Congratulations on courageous speech August 5. Please send a copy.

Prof. EDWARD PESSEN.

PORTLAND, OREG.,  
August 6, 1964.

SENATOR WAYNE MORSE,  
Washington, D.C.:

Want to express our appreciation for your forthright statement of August 5 on Vietnam.

Mr. and Mrs. JOHN A. DUDMAN.

PORTLAND, OREG.,  
August 6, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Your stand on Vietnam makes good sense to us. Yours is voice in the dark, but not a weak one. Use it and God bless you.

Mrs. EDWARD POTTER and Mrs. STANLEY HOCHMAN.

PORTLAND, OREG.,  
August 6, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Approve your stand against Vietnam action.

JOHN D. WILLIAMSON.

PORTLAND, OREG.,  
August 6, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Bravo.

JANICE R. STEVENS.

PORTLAND, OREG.,  
August 7, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

We agree with your South Vietnam stand. Insist it go to U.N. for settlement.

Mr. and Mrs. IVAN ICKES.

PORTLAND, OREG.,  
August 7, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

We wish to assure you of our support of your position on Vietnam.

Mr. and Mrs. LAIRD C. BRODIE.

PORTLAND, OREG.,  
August 7, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

We support your position on Vietnam. Your courageous stand will hasten negotiation.

Mr. and Mrs. GEORGE JOHANSON.

PORTLAND, OREG.,  
August 6, 1964.

SENATOR WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Strongly approve your position in Vietnam involvement. Urge efforts for nonmilitary solution of crisis.

ROBERT J. RUMSEY.

PORTLAND, OREG.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
Wish to express appreciation of your courageous stand against our involvement in Vietnam.

Mrs. WILLIARD J. SMITH.

MEDFORD, OREG.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
Commend efforts against Vietnam war. U.N. discussions including China best assurance southeast Asia neutrality.

MARIE M. BOSWORTH.

PORTLAND, OREG.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
Appreciate your no vote on Vietnam resolution. You make reality instead of ritual.

WALLY PRIESTLEY,  
Democratic Nominee, State Representative.

LONG BEACH, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
Applaud your courageous stand on Vietnam. Please continue trying to get problem to U.N.

JAMES and FRANCES GOODWIN.

LOWER MERION, PA.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:  
You're the only right one in the Vietnam vote. Please don't stop.

Mrs. WILLIAM TAYLOR.

SEATTLE, WASH.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:  
Congratulations Senator MORSE on the stand of truth you take pertaining Vietnam. Keep it up.

Mrs. CHARLES KOPPEL.

DETROIT, MICH.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:  
Thousands know WAYNE MORSE's stand on Vietnam is right we need. Expect your support.

RHEA MILLER.

BELLEVUE, WASH.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:  
Wish Senators JACKSON and MAGNUSON thoughtful as you on Vietnam. Talk, not force, only solution.

Mr. and Mrs. E. C. MCINTOSH.

PRAIRIE VILLAGE, KANS.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
Glad someone had nerve enough. Thanks.

TOM WAGNER.

PHILADELPHIA, PA.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
We who value liberty and justice for all applaud your efforts.

P. A. POWERS.

SANTA PAULA, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:  
We applaud your position against Vietnam war. Keep up your defense of welfare all mankind.

Mr. and Mrs. D. G. MALM.

OAK PARK, ILL.,  
August 7, 1964.

Senator WAYNE MORSE,  
U.S. Senate,  
Washington, D.C.:  
Congratulations on your stand regarding resolution.

E. W. BARBOUR.

LOS ANGELES, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Building,  
Washington, D.C.:  
DEAR SENATOR MORSE: I hope you continue your courageous and gallant fight in exposing the fakery and double involvement in the North and South Vietnam war. You have the well wishes and prayers of many here in Los Angeles.

HARRY J. SILVER, M.D.

WASHINGTON, D.C.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
Our entire family supports your admirable and heroic stand against the Vietnam resolution.

HUBERT W. LECKIE.

NEW YORK, N.Y.,  
August 7, 1964.

Senator WAYNE MORSE,  
The Senate,  
Washington, D.C.:  
Good luck on Vietnam. With you all the way.

JUDITH WOOD.

PHILADELPHIA, PA., August 6, 1964.

Hon. WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
Congratulations on your courageous stand today opposing blank check resolution; wish there was some way of widely publicizing your position.

ROZ and BERT KLEINBERG.

FLORENCE and ALEX FREUND.

DETROIT, MICH., August 6, 1964.

Hon. Senators MORSE and HART,  
Washington, D.C.:  
Do everything possible to stop escalation of war in Vietnam.

Mr. and Mrs. KEN DRUCKMAN.

TAKOMA PARK, MD., August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
Our family of five supports your heroic position on Vietnam.

SAM ABBOTT.

TAKOMA PARK, MD., August 6, 1964.

Senator MORSE, of Oregon,  
Washington, D.C.:  
Support your position regarding American activities southeast Asia. Keep up the fight.

GEORGE ABBOTT.

NEW YORK, N.Y.,  
August 6, 1964.

Senator WAYNE MORSE,  
U.S. Senate,  
Washington, D.C.:  
In the heart of the crisis you have the courage to tell the truth and for that you hold our deepest gratitude. Those who can

still recognize the importance of life will honor your decision to stand on honesty in this dark hour.

JOSEPH and Jo ROBERTS.

NEW YORK, N.Y.,  
August 6, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:  
I believe your speech is in the best interest of our country.

GEORGE ENGELHARDT.

NEW YORK, N.Y.,  
August 6, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:  
We applaud your courageous stand against this vicious war in Vietnam.

Mrs. ROSE BURGER.

CAMBRIDGE, MASS.,  
August 6, 1964.

Hon. WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
Thank you for courageous words about southeast Asia.

GREGORY W. HARRISON.

CHICAGO, ILL.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
We endorse completely your stand on Vietnam and congratulate you for your courage.

JUNE and LLOYD ENGELBRECHT.

PHILADELPHIA, PA.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
DEAR SENATOR: We and many other citizens appreciate your courageous stand on preventing an irresponsible fruitless war in Asia. We hope you can win the support of your Senate colleagues.

Dr. MARTIN GOLDBERG,  
University of Pennsylvania.

Dr. DONALD RASMUSSEN,  
The Miquon School.

NEW YORK, N.Y.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
We applaud your courageous stand against this vicious war in Vietnam.

Mrs. RHODA TANGER.

FLOURTOWN, PA.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
Grateful for your wisdom and courage in voting "no."

PHOEBE CROSBY.

RYE, N.Y.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
I commend your brave and correct stand as majority of one on Vietnam resolution.

BARBARA WATSON.

BOSTON, MASS.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
Support your courageous stand on North Vietnam crisis. Hope you will vote against resolution.

LEONARD FEINSTEIN.



CROTON FALLS, N.Y.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Warmest gratitude for sane and courageous condemnation of U.S. provocative action toward North Vietnam.

TRACY D. MYGATT.

DEARBORN, MICH.,  
August 6, 1964.

Senator WAYNE MORSE,  
U.S. Senate,  
Washington, D.C.:

World opinion with you. Admiring your courage.

Mr. and Mrs. EDMUND KREEGER.

FLUSHING, N.Y.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Your stand on Vietnam reflects our deepest convictions. Thank you.

BESS HORNE.

SANTA MONICA, CALIF.,  
August 6, 1964.

Hon. WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Please accept the thanks of a conservative Republican for speaking as you did today on Vietnam. You are 100 percent right. Do not let your voice subside or we may all be engulfed by bipartisan stupidity.

DONALD C. WARNER.

WEST HARTFORD, CONN.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Please accept prayerful thanks for publicly expressing your protest to our recent action in Vietnam. Many thinking Americans hold your sentiments, we are weary of wars, hypocrisy, deceit, and maneuvering by cynical minds and hearts. You are a beacon in the dark.

SONIA A. GERENT.

MOUNT VERNON, N.Y.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

God bless you for your stand on Vietnam. We're with you.

ELAINE and RICHARD KUNTZ.

PHILADELPHIA, PA.,  
August 6, 1964.

Senator WAYNE MORSE,  
New Senate Office Building,  
Washington, D.C.:

We support your courageous stand at this sensitive moment.

JOHN DORFMAN.

NEW YORK, N.Y.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Many thanks for your stand on Vietnam would that there were more like you.

B. BERMAN.

YELLOW SPRINGS, OHIO,  
August 6, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

Strongly support your stand on Vietnam situation in addresses and articles and on Senate floor.

GRISCOM MORGAN.

DETROIT, MICH.,  
August 7, 1964.

U.S. Senator WAYNE MORSE,  
Senate Building,  
Washington, D.C.:

I strongly approve your courageous stand on Vietnam.

LAWRENCE ROSINGER.

CHICAGO, ILL.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Support your efforts for peace for our Nation and humanity. Accept my thanks.

SARA SIMONS GAARD.

SAN FRANCISCO, CALIF.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Thank you for your courageous stand on U.S. actions and policy in southeast Asia. The U.S. Government is taking us needlessly toward war. President Johnson should not have a "free hand" as states in bipartisan resolution. United States should withdraw, allow Vietnam self-determination.

JEFF MARCHANT,  
MARY HAAN.

MOUNT VERNON, N.Y.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

I heartily approve your stand on Vietnam and deplore Johnson's action.

Dr. BERNICE BAUMAN.

SCARBOROUGH, N.Y.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

God bless you for your lonely and courageous fight for truth and peace gratefully.

Mr. and Mrs. LESLIE BALASSA.

NEW YORK, N.Y., August 6, 1964.

Senator WAYNE MORSE,  
U.S. Senate,  
Washington, D.C.:

We applaud and approve your action in the North Vietnam debate. Your fight is courageous and in the highest tradition of American democracy. We wish you godspeed.

Mr. and Mrs. LAWRENCE EISENBERG.

NEW YORK, N.Y., August 6, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

We congratulate you for your courageous stand on Vietnam. Keep fighting.

Dr. and Mrs. SAMUEL SIEGEL.

NEW YORK, N.Y., August 6, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

You truly stand for peace. Congratulations.

Mr. and Mrs. MARTIN ARZUG.

MENLO PARK, CALIF., August 6, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

We congratulate you on your courageous humanitarian stand on Vietnam et al.

ELSTIE and LOUIS RENNE.

CHICAGO, ILL., August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Strongly support your position on Vietnam. Geneva conference should immediately be convened.

Mr. and Mrs. JOSEPH ENGEL.

LA MIRADA, CALIF.,  
August 5, 1964.

Hon. WAYNE MORSE,  
U.S. Senate,  
Washington, D.C.:

Please give them heck in your remarks today before the Senate. Maybe some of the Senators will have the guts to stand up too and tell the American public the truth about Vietnam. You are a credit and a real public servant to our country.

RAYMOND E. DRAPKIN.

DETROIT, MICH.,  
August 6, 1964.

Hon. Senators MORSE and HART,  
Washington, D.C.:

Do everything possible to stop escalation of war in Vietnam.

FRANK LIEDERMAN.

PENN VALLEY, PA.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Your devotion to principal and conscience, your courageous campaign to expose and halt the drift to war, exemplifies the highest tradition of American patriotism and statesmanship. If nuclear war is somehow avoided and historians continue to record the past, you will be ranked high among American leaders who fought the hardest fight, keeping their country always right.

LEE BENSON.

LOS ANGELES, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Congratulations on your stand on Vietnam. I believe you alone represent the thinking informed American in the Senate. I strongly urge the adoption of De Gaulle's proposals on southeast Asia. We should pull out of Vietnam and let the U.N. in. WAYNE MORSE for President.

JOHN S. BURTON.

LOS ANGELES, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

We commend you for your courageous position on Vietnam. We hope you do all you can to prevent further involvement in southeast Asia.

WEST PICO DEMOCRATIC CLUB,  
D. RABINOFF, Vice President.

LONG BEACH, CALIF.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Congratulations on your stand on Vietnam, your integrity, and honesty commendable. Stand for America.

ALBERT OLIVER.

NEW YORK, N.Y.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

We applaud your courageous stand against this vicious war in Vietnam.

Mrs. ROSE NASSOP.

SYRACUSE, N.Y.,  
August 7, 1964.

Hon. WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

We and our friends fully support you in your stand on Vietnam especially in present crisis. We applaud your courageous action in

speaking out defense of morality. We urge you maintain your position.

Mr. and Mrs. SAM FELD.

PULLMAN, WASH.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

"There was truth, there was untruth, and if you cling to the truth even against the whole world, you were not mad."

We support your truthful stand on Vietnam.

Joseph Morrow, Marian Morrow, Ben Seals, William Wilson, Nicholas Sofios, Jon Miller, Richard Frucht, Vernon Davies, Department of Sociology and Psychology, Washington State University.

NEW YORK, N.Y.,  
August 6, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

Your courageous speech against our foolhardy and vicious war in Vietnam was wonderful.

ROBERT GROSSMAN.

NEW YORK, N.Y.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

In my opinion your courageous stand on Vietnam must be accepted by our Government.

SHALOM SPERRER.

LAGUNA BEACH, CALIF.,  
August 6, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

We agree wholeheartedly with your views on Vietnam. May your speech today convince others.

VIRGINIA RICE.

NEW YORK, N.Y.,  
August 6, 1964.

Senator WAYNE MORSE,  
The Senate,  
Washington, D.C.:

Bravo for your brave but lonely stand on Vietnam. We support your position wholly.

PHILIP and ELAINE GERMAN.

LAGUNA BEACH, CALIF., August 6, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

We are in full accord with your stand on the situation in Vietnam.

Dr. and Mrs. LEWIS G. PYNE.

BROOKLYN, N.Y., August 6, 1964.

Senator WAYNE MORSE,  
U.S. Senate,  
Washington, D.C.:

DEAR SENATOR MORSE: Keep up the good work. You are not alone.

BARRY GOLDENSOHN.

SANDWICH, MASS., August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Again you speak sense on Vietnam. Full support from your constituent on vacation in Massachusetts.

BARBARA CROWLEY.

WASHINGTON, D.C.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Congratulations for your determined efforts to save the peace in Vietnam. America is

fortunate in having at least one Congressman willing to speak out for sanity and reason. Don't be browbeaten into silence—for without your courageous voice the sham will be all too apparent. If I can be of any help in the fight for peace, please call on me.

AL A. MARCHIONE.

SAN FRANCISCO, CALIF., August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

Applaud your courageous stand on Vietnam.

GERALD ROSENFIELD, M.D.

SAN FRANCISCO, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

Congratulations on your courageous stand on Vietnam situation.

Prof. DAVID EAKINS.

SEATTLE, WASH.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Continue outspoken. Following message sent to President Lyndon Johnson: "Take military out of Vietnam. Mere presence is provocation for nation which depends on force and intimidation. Right military action is wrong moral action. Retaliatory strike constitutes wider war. Our responsibility and the imperative of our day is to effect positive nonviolent means for solution of international problems."

IRWIN R. HOGENAUER.

AUSTIN, TEX.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

There is one sane voice in the Senate on Vietnam. From loyal liberal Democrats.

CHESTER A. BRIGGS.

EL PASO, TEX.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Your courageous resistance to Vietnam resolution historical. Wiring Senator YARBOROUGH to support you.

SAMUEL Z. WINTROUB.

CLEVELAND, OHIO,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Agree with and thank you for speaking out on facts about South Vietnam situation.

KATHERINE MARSHALL.

NORTH HOLLYWOOD, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Congratulations for your courageous stand. United Nations should handle Vietnam problem.

SUZANNE SCHMIDT.

CHAMPAIGN, ILL.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Congratulations on your lonely and courageous defense of intelligent, realistic foreign policy in a dangerous age. Yours is not a profile but a soaring monument of courage.

F. STEVEN SIMON.

GARDEN GROVE, CALIF.,

August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

Deeply appreciate your honesty and courage. Keep talking.

BRUCE CHURCH.

PALO ALTO, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:

We support your struggle for peace in Vietnam. American intervention must end, not increase.

Mr. and Mrs. W. B. HOUSTON, Jr.

RICHMOND, CALIF., August 7, 1964.

Senator MORSE,  
Senate Office Building,  
Washington, D.C.:

Wish to express my disapproval of increased military action in Vietnam.

ELSIE FARROW.

SANTA ROSA, CALIF., August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Heartily indorse your rational stand against escalation of hostilities without congressional debate.

MAY SCHWARTZ.

NEWTON, MASS., August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

We strongly support your stand opposing military action in Vietnam. We urge you to fight against the President's resolution on the Senate floor.

SAUL ALICE VICTOR,  
FRED ARONOW.

SAN FRANCISCO, CALIF., August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

We salute your courage in being the truthful conscience of our country. We are reaching the point of no return in southeast Asia and involvement in a situation that will be far worse than Korea with a tragic and fruitless outcome in death and destruction. We pray for peace.

TOM SIEGEL and family.

CHICAGO, ILL.,  
August 7, 1964.

Senator WAYNE MORSE,  
U.S. Senate,  
Washington, D.C.:

We applaud and support your stand on Vietnam policy.

Dr. and Mrs. ROBERT C. BUSCH.

SAN FRANCISCO, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Thanks for speaking out. We violate peace and own freedom by waging undeclared war.

IRVING FROMER.

NEW YORK, N.Y.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:

Grateful for your sane voice. Following telegram sent President Johnson. Senators KENNEDY and JAVITS: "Alarmed escalation war, agree with Senator MORSE, terrible mistake, urge immediate cease fire and negotiations."

BETTY MILLARD.



BEVERLY HILLS, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:  
Congratulations on your position on  
President's Vietnam resolution.  
Mr. and Mrs. R. KARSHMER.

LOS ANGELES, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:  
Yours is a lone voice in the wilderness but  
thank God for that voice.  
Sincerely,

ROTH R. PECK.

BROOKLYN, N.Y.,  
August 7, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
Congratulations on your wonderful stand  
on Vietnam. Yours seems to be the only  
voice of reason. Please continue all efforts  
for cease fire and peace in Vietnam.

ROBERT PHILLIPPOFF.

NEW YORK, N.Y.,  
August 7, 1964.

Senator WAYNE MORSE,  
U.S. Senate,  
Washington, D.C.:  
Congratulations on your courageous stand  
against those who seem only too eager to  
stampede us into disaster. You will go down  
in history as a truly great American. We  
are behind you a hundred percent.

EDWARD and FLORENCE SHAFFER.

ALHAMBRA, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:  
DEAR SENATOR MORSE: We applaud your  
courage in speaking out against the provoca-  
tive and suicidal course our Government is  
taking in Vietnam. You can be assured that  
there are millions of Americans who support  
your voice of sanity which speaks out against  
a policy which is both unjust and dangerous.

ROBERT and PAMELA HONCHILL.

NEWPORT BEACH, CALIF.,  
August 6, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:  
Your discerning appraisal of Vietnam prob-  
lem gives hope.  
Thank you.

RICHARD STEWART.

LOS ANGELES, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE: Our gratitude and  
support in your sane declarations on Viet-  
nam. We need you.  
Dr. and Mrs. HAROLD N. ZEMELMAN.

SAN FRANCISCO, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
U.S. Senate,  
Washington, D.C.:  
We are proud of you, keep trying to drive  
some dignity and sense and commitment to  
humanity into policies on southeast Asia.

Mr. and Mrs. E. T. HIRSCHMAN.

LOS ANGELES, CALIF.,  
August 7, 1964.

Senator WAYNE MORSE,  
Washington, D.C.:  
If Lot had found one honest man God  
would have saved Sodom and Gomorrah.  
Please keep telling the truth about war and  
peace in Vietnam. There may be hope for  
Washington.

Warmest regards.

ROBERT M. PECK.

PORTLAND, OREG.,  
August 6, 1964.

Senator WAYNE MORSE,  
Senate Office Building,  
Washington, D.C.:  
Strongly support your brave stand on Viet-  
nam.  
Best wishes.

MICHELE JUSSO.

#### COMMITTEE MEETINGS DURING SENATE SESSION TODAY

Mr. MANSFIELD. Mr. President, I  
yield myself 1 minute.

I ask unanimous consent that the  
Committee on Public Works, the Sub-  
committee on Internal Security of the  
Committee on the Judiciary, and the  
Subcommittee on Financial Institutions  
of the Committee on Banking and Cur-  
rency be authorized to meet during the  
session of the Senate today.

The PRESIDING OFFICER. With-  
out objection, it is so ordered.

#### MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY IN SOUTH- EAST ASIA

The Senate resumed the consideration  
of the joint resolution (S.J. Res. 189) to  
promote the maintenance of interna-  
tional peace and security in southeast  
Asia.

Mr. MANSFIELD. Mr. President, I  
yield 5 minutes to the distinguished Sen-  
ator from New York.

Mr. KEATING. Mr. President, the un-  
provoked attacks on U.S. vessels in inter-  
national waters by armed PT boats from  
North Vietnam rightly led to a strong  
reaction on the part of the United States.  
Although there had been some sugges-  
tion from the Department of State that  
the first attack might be an isolated in-  
cident, there was no doubt whatsoever  
that the second attack 2 days later by  
an undetermined number of North Viet-  
namese PT boats in the early evening  
signaled a new course of action by Viet-  
nam Communists, perhaps a calculated  
effort to escalate the conflict in Asia or  
perhaps a probing operation to test the  
strength of the U.S. reaction.

President Johnson's strong and un-  
equivocal statement followed by the ac-  
tion now taken should answer some of  
the questions that may be asked by our  
friends and enemies around the world  
as to what the United States will do.  
Even more specifically the retaliation  
against coastal facilities in North Viet-  
nam which supported the raiding PT  
boats should make clear to them that  
Communist forces in Asia are embarked  
upon a collision course in which, if neces-  
sary, the full strength of the U.S. mili-  
tary will be brought to bear. This resolu-  
tion confirms the support of Congress for  
a firm policy of resistance to Communist  
aggression in southeast Asia.

It is curious, and perhaps something  
more than a coincidence, that in recent  
years the greatest cold war crises have  
come in the months immediately preced-  
ing an American election. The process  
of free elections and political campaigns  
is alien to Communist experience, and it  
may be that the Communists misinter-

pret the sharp revival of partisan po-  
litical activity as a sign of division and  
mistrust on the part of the American  
people. In my judgment, the members  
of the Republican Party have a particu-  
larly heavy responsibility to make clear  
at this time their full support and bi-  
partisan backing for the action under-  
taken by the President of the United  
States in defense of free world interests.  
This the leaders of the Republican Party  
have done. For my part, I should like to  
make perfectly clear that I stand 100 per-  
cent behind the President. He has my  
prayers for the heavy responsibility he  
bears at this time and my assistance and  
support in whatever way can be most  
useful to our Nation's security.

Mr. President, there are and will al-  
ways be differences of opinion as to the  
wisdom of the policies which have  
brought us to the present impasse.  
There are, and always will be, differences  
as to the future direction and detail of  
American policy in southeast Asia. But  
when the moment arrives that it is  
necessary to order the Armed Forces of  
the United States into action, the Presi-  
dent is Commander in Chief. The al-  
legiances of the Nation is to him. And  
the entire Nation joins in mourning the  
American airmen lost in action during  
this crisis.

Mr. President, there can be no doubt  
that these actions pose the threat of ex-  
panded military operations in Asia.  
What should the long-term policy of the  
United States be if we should be faced  
with the prospect of conflict with Red  
China? I do not believe this conflict is  
upon us today, but undoubtedly the situ-  
ation today is more explosive and more  
dangerous than it was a week ago. The  
guns of August have again resounded  
through the world and none can tell the  
final result. Prompt retaliation was nec-  
essary.

But in the long run, American poli-  
cies toward Asia, both the free nations  
of Asia and the Communist aggressors,  
must not be determined merely by  
speedy reaction to Communist offen-  
sives. For the future, the United States  
must determine whether we will defend  
the independence of the nations of  
southeast Asia at any cost and with any  
force, or whether our military and politi-  
cal policies will be strictly limited. This  
will be a major international issue for  
years to come. It should be thoroughly  
explored not only within the executive  
branch of the Government but in full  
coordination and consultation with  
Members of Congress and with the full  
knowledge and understanding of the peo-  
ple of the United States.

Mr. President, I have complete con-  
fidence in the ability of our Govern-  
ment to handle any immediate crisis in  
southeast Asia, but the long-term crisis  
must be settled only after long-term and  
penetrating analysis in which all of the  
factors are thoroughly weighed by all of  
those who bear a part of the responsi-  
bility for the defense of freedom and  
the future of our Nation.

Through this resolution the Congress  
is making clear its present support for  
our Commander in Chief at the moment

of conflict. It is a vote of confidence in the action that has been taken, but it is not a blank check for policies that might in future be carried on by the executive branch of the Government in other cases, without full consultation by the Congress. It is not a blank check authorizing U.S. military actions against Red China, nor is it a blank check authorizing guerrilla activities or other actions on the part of the Government of South Vietnam. It is not a blank check authorizing other nations in Asia to pursue independent military actions which are not in clear defense of their own territories.

In sort, Mr. President, this resolution expresses the determination of the United States to resist aggression against our forces or our allies in Asia. It reemphasizes the principles of the U.N. Charter condemning aggression. It should also be used as a clear call for support from our allies in Asia and elsewhere who should not be slow to recognize that any attack upon the U.S. 7th Fleet is indeed an attack upon every free nation in Asia that looks to U.S. naval forces for help and security.

Mr. GRUENING. Mr. President, will the Senator yield for a question?

Mr. KEATING. I have only 5 minutes. I wish to complete my statement. The Senator from Alaska will have time in his own right to reply.

The PRESIDING OFFICER. The Senator from New York declines to yield.

Mr. KEATING. Help and coordination of policies with other free nations of Asia are important steps in the search for long-term peace in the area. In the immediate crisis, the long-term problems and needs must not be neglected.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and ask that the time for the calling of the quorum be charged to me.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MANSFIELD. Mr. President, I yield 4 minutes on the resolution to the Senator from Vermont [Mr. AIKEN].

The PRESIDING OFFICER. The Senator from Vermont is recognized for 4 minutes.

Mr. AIKEN. Mr. President, for some months it has appeared to me that an expansion of military operations in southeast Asia was inevitable. I have been skeptical of the repeated assurances of high government officials that no such expansion was contemplated.

I have repeatedly stated to those officials, including the President of the United States, that I was opposed to an expansion of the war.

The decision, however, was not mine to make. The decision, and also the responsibility for expanding such military operations, rest squarely with the Presi-

dent, under the authority delegated to him by the Congress over the years.

The President has now made such a decision and has assumed the responsibility.

Mr. President, I am still apprehensive over the outcome of his decision. But, since it has been made, I feel that I, as an American citizen, can do no less than support the President in his capacity as leader of our Nation.

I believe that our country will be in greater jeopardy if we do not now support his decision.

I sincerely hope that the fears I have entertained over the past few months may prove to have been groundless. I sincerely hope that the President's action, taken evidently in the belief that vigorous action now will save more lives than it will cost, will prove to be correct.

Mr. President, I shall support the joint resolution even though I still regard the decision of President Johnson with misgivings. It is a very difficult decision to make, but I do not believe that any of us can afford to take a position opposing the President of the United States for exercising the power which we, under our form of government and through our legislative bodies, have delegated to his office.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and ask again that the time for the calling of the quorum be charged to me.

The PRESIDING OFFICER (Mr. BREWSTER in the chair). Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the distinguished Senator from New York.

Mr. JAVITS. Mr. President, I note the presence in the Chamber of the Senator from Arkansas [Mr. FULBRIGHT]. We almost exhausted him yesterday by keeping him on the floor to answer questions.

I believe that a very important question is raised by Mr. Reston's article in the New York Times of this morning in respect to our relationship with the South Vietnamese Premier, General Khanh. Mr. Reston writes of the pattern which we followed in respect to the Formosa resolution in 1954. I know the inhibitions of secrecy and the effects upon national policy in all these respects. We may assume that our Government is taking the necessary precautions so that the broad support—to use a juridical term—which we would give to the President in respect to the extended operations of a military character in this area of the world, is not an action by which our freedom of control may be taken away by actions to which the Khanh regime may commit us for practical purposes. But we would have a right to assume in voting the joint resolution that our Government is taking the necessary precautions to see that whatever

commitment we undertake is our own, and that we shall not be forced into a position of broadening that commitment against our will because the country in whose interest we are working so hard will commit us beyond what we wish to be committed to as a practical matter.

In short, to be very practical, suppose we are faced with a situation in which the South Vietnamese position should be jeopardized by its own extension of the struggle beyond its own capacity to wage a successful war in North Vietnam. Then what would happen in terms of our commitment and the commitment which our President is empowered to undertake anyhow, but which we would support in the joint resolution?

Mr. FULBRIGHT. As a practical question, there is the closest cooperation between the Government of South Vietnam and our representatives, particularly our Ambassador, General Taylor. I do not believe there is any probability, or even a possibility, that they can commit us beyond what our own people believe to be in the interest of our common effort.

There is some distinction between the present situation and the declared policy of Chiang Kai-shek during the time of the Formosa resolution. As the Senator well knows, it was—and perhaps it still is—his declared intention to retake the mainland of China. That was a question of considerable concern. That Government had quite a large army of its own, and perhaps had greater capabilities than presently exist in South Vietnam.

I do not believe there is any substance to the fear that the Vietnamese could involve us beyond the point where we ourselves wish to be involved. I do not think a full scale or a substantial invasion or extension of the war without our approval and assistance could be mounted. No such invasion has been mounted. I do not know that there is any prospect of it. That is a question which I believe is in the field of tactics, on which I am not competent to comment at the moment. But on the political aspect of the question, I do not think there is any substance to the fear that the South Vietnamese may lead us down a road that we do not wish to travel. It is a question of judgment as to what is the wise road to follow, of course.

The question will remain one of great difficulty until it can be settled. I do not believe there is any reason for such a fear at the present time.

I share with the Senator, as we all do, nervousness over these resolutions. I think it is caused by nervousness about war in general. It is not because of the specific individual involved. We are all nervous about the expansion of the war. I know the President is.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, will the Senator from Illinois yield 2 additional minutes to me, so that I might finish my colloquy with the Senator from Arkansas?

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from New York.



The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. FULBRIGHT. I am sure the President shares our concern. Great concern and apprehension are always created by the breaking out of violence in these areas.

Mr. JAVITS. I should like to ask the Senator whether we have a right to feel satisfied that our Government has taken or will take the necessary precautions to see that we shall not be committed beyond the extent to which we wish to be committed by the local Government of South Vietnam itself.

Mr. FULBRIGHT. I believe we have, both in the past and presently. I do not believe that there is any probability of their going off and involving us where we do not wish to be involved. I believe we can maintain complete control over our own commitments.

Mr. JAVITS. I believe that is a definitive answer. I accept it as such. I believe other Senators will do likewise. Again I appeal to the Senator from Arkansas with respect to the role of the Foreign Relations Committee on the question, which, in my judgment, begins rather than ends when we pass the joint resolution. I hope that, before the debate is over, the Senator will give us some definitive statement of his own feeling, so that, within the proper area of legislative oversight, those of us who wish to vote yea on the resolution may look to the Foreign Relations Committee to keep its hands on the controls, as far as the Constitution and the practice of Congress allows, in respect to the troublesome questions which we have raised in the debate, such as the present one with respect to General Khanh and his regime and the concurrence of our allies, continuous consultation, and the other questions.

Mr. FULBRIGHT. I should like to make 2 statements which I believe are appropriate. First, both the present administration and the previous administration have been very good about reporting to us and briefing us about the situation. I do not believe there has been any tendency to withhold anything. I do not believe that at any time when representatives of the administration came to brief us and we requested information they have refused to divulge it. In many cases they themselves have initiated such a request as far as the information goes.

Second, the more important point in this case, I believe, is the fact that the administration went to great lengths to find the best equipped and qualified men to send to Vietnam. I personally felt great satisfaction in the selection of U. Alexis Johnson to be our civilian representative. He is one of the most experienced men we have. I know of no one who does not have a high regard for General Taylor. After all, on these difficult subjects there is no way of enacting a law or promulgating a rule which would be self-executing. We must rely to a great extent upon the wisdom, judgment and experience of those actually in charge. I believe that is the most reassuring aspect of the question. The

Government has sent two of the best men available into this very critical area.

Mr. JAVITS. Will the Foreign Relations Committee continue to play an active role in respect of the question? I believe an affirmative answer would be a real assurance to all of us.

Mr. FULBRIGHT. I do not wish to mislead anyone. As the Senator knows, our role is one of an advisory nature. Information is submitted to the committee. The administration has never held anything back, to my knowledge. It has been frank. We have an opportunity to advise them, and that is all. We cannot direct or force them. Even within the committee, as the Senator knows, there are some very sharp differences of opinion. So all we can do is to advise with them, which we have done.

On questions of importance, the administration has consulted, in addition to the committee or the senior members of the committee, and the leadership of both Houses. We have the further assurance of the majority leader, the minority leader, the whips, and senior members of the committees of both Houses.

Mr. JAVITS. If information is not volunteered, will the chairman of the committee call and get it?

Mr. FULBRIGHT. Yes; we have and do.

Mr. JAVITS. I thank the Senator.

Mr. NELSON. Mr. President, will the Senator from Arkansas yield some time to the Senator from Wisconsin?

Mr. FULBRIGHT. I shall be glad to do so. How much time does the Senator wish?

Mr. President, how much time have we remaining?

The PRESIDING OFFICER. The Senator from Arkansas has 9 minutes.

Mr. FULBRIGHT. How much time would the Senator like?

Mr. NELSON. I do not understand the Chair's response. I thought 30 minutes were left.

The PRESIDING OFFICER. Under the unanimous-consent agreement, there is a time limitation. The Senator from Oregon has 23 minutes, and the Senator from Arkansas 9 minutes.

Mr. MORSE. Mr. President, I should like all that extra time, but I want to be fair. I do not have that much time. I would be glad to use it, but I want to be fair. The time started running at 10 o'clock. I finished at 7 minutes to 11, I believe. I will take the time if the Senator from Arkansas does not want it.

Mr. NELSON. I have an amendment to suggest. If the Senator from Arkansas accepted it, I would vote for the resolution. If it were not accepted, I might not. So whose time should I take?

Mr. FULBRIGHT. I am perfectly willing to yield the Senator time.

Mr. President, does the Chair have the time reversed?

The PRESIDING OFFICER. The Parliamentarian informs the Chair that the Senator from Arkansas has 7 minutes left.

Mr. NELSON. Mr. President, not to take up all the time, would the Senator from Oregon yield me 5 minutes?

Mr. MORSE. Mr. President, I understand the Senator from Wisconsin has an amendment to offer which might make the joint resolution a little better, but still unacceptable so far as I am concerned.

Mr. President, how much time have I? The PRESIDING OFFICER. Twenty-three minutes.

Mr. MORSE. For the good of the cause, I will yield 5 minutes to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 5 minutes.

Mr. NELSON. Mr. President, I ask unanimous consent that at the conclusion of my remarks and any colloquy I may have with the Senator from Arkansas there be printed in the RECORD excerpts from the President's address, a column from this morning's Washington Post by Chalmers Roberts, a column from today's New York Times by James Reston, a column from the Washington Post by Marquis Childs, and a reprint of an editorial from the Milwaukee Journal.

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

(See exhibit 1.)

Mr. NELSON. Mr. President, I have read the RECORD. There was some colloquy on the floor yesterday. I noticed that every Senator who spoke had his own personal interpretation of what the joint resolution means.

One Senator yesterday stated for the RECORD that he understands the resolution to mean that there will be no more privileged sanctuaries.

Another Senator interprets the resolution to mean that it would authorize the Chief Executive to eliminate any aggression, future and present. Some Senators interpret this language to mean aggression against South Vietnam; others interpret it to mean aggression directly against our military forces.

Another Senator interpreted the joint resolution to mean that it is the sense of Congress that no change is suggested by Congress in the present mission in South Vietnam—the mission that has been ours for 10 years, which is to supply advisers, technical advice, and materiel, for the purpose of attempting to encourage the establishment of an independent, viable regime, so that we can withdraw our forces; and that it has not been our mission in the past 10 years to substitute our military forces for the South Vietnamese forces, nor to join with them in a land war, nor to fight their battle for them, nor to substitute our Government for theirs.

This 10-year-old limited mission can be legitimately defended as a responsibility of ours to assist free and independent nations; and it can be legitimately questioned, too, because of the geographic location of that mission.

In any event, I am most disturbed to see that there is no agreement in the Senate on what the joint resolution means. I would like to see it clarified.

If we are telling the public by this resolution that it is our responsibility to use our forces to win a war in southeast Asia—

The PRESIDING OFFICER. The 5 minutes of the Senator from Wisconsin have expired.

Mr. NELSON. I ask the Senator from Oregon to yield me some time.

Mr. MORSE. Mr. President, I am willing to make a deal with the Senator from Arkansas. If I yield the Senator 4 minutes, will the Senator from Arkansas yield him some time?

Mr. FULBRIGHT. We have only 7 minutes.

Mr. DIRKSEN. All the time for the quorum calls came out of our time.

Mr. MORSE. I did not ask that it come out of the time on the other side. I did not ask for any quorum call. I am willing to enter into a unanimous-consent agreement that the time taken for the quorum calls be not counted.

Mr. DIRKSEN. Perhaps we should find out how the timekeeper can change the record.

Mr. MORSE. I specifically said I would reserve time to yield to the Senator from Alaska.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Is it the understanding of the Chair that the last hour was to be equally divided between the two leaders for disposition as they saw fit; and is it also correct that the time for the quorum calls was taken out of our time?

The PRESIDING OFFICER. Under the unanimous-consent agreement, 1 hour was to be divided between the leadership. Under the unanimous-consent agreement, at the request of the Senator from Montana, the time used during the quorum calls was taken out of that 1 hour.

Mr. MORSE. I say most respectfully that quorum calls were asked for by the proponents of the bill.

Mr. DIRKSEN. What happened to my half hour?

Mr. MORSE. The proponents did not have any speakers for the resolution. That is why they suggested the absence of a quorum. Let us be frank about it. We have speakers against the resolution. I shall not deny my colleague from Alaska an opportunity to close the debate on the resolution. It is now 20 minutes to 1. Do Senators still wish to vote at 1 o'clock? How much time have I remaining?

The PRESIDING OFFICER. The Senator from Oregon has 15 minutes remaining. Very briefly let the Chair state that 1 hour was allotted to the majority leader and the minority leader. It was not understood that the time was to be divided between them.

Mr. MORSE. I will reserve 10 minutes of my time for the Senator from Alaska [Mr. GRUENING]. The Senators from Arkansas and Illinois may have the rest of the time and use it as they see fit.

Mr. DIRKSEN. Out of whose time is that to come?

Mr. MORSE. I have 15 minutes. I am reserving 10 minutes for the Senator from Alaska.

Mr. FULBRIGHT. We have 7 minutes.

Mr. MORSE. I will give the Senator 5 minutes of my time.

Mr. NELSON. I wonder if the Senator would accept an amendment.

Mr. MORSE. I yield 5 minutes to the Senator from Wisconsin, with the understanding that the time that I have reserved for the Senator from Alaska will be protected.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 5 minutes.

Mr. NELSON. In view of the differing interpretations which have been put upon the joint resolution with respect to what the sense of Congress is, I should like to have this point clarified. I have great confidence in the President. However, my concern is that we in Congress could give the impression to the public that we are prepared at this time to change our mission and substantially expand our commitment. If that is what the sense of Congress is, I am opposed to the resolution. I therefore ask the distinguished Senator from Arkansas if he would consent to accept an amendment, a copy of which I have supplied him. I shall read it into the Record:

On page 2, line 3, after the word "That" insert "(a)".

On page 2, between lines 6 and 7, insert the following:

"(b) The Congress also approves and supports the efforts of the President to bring the problem of peace in southeast Asia to the Security Council of the United Nations, and the President's declaration that the United States, seeking no extension of the present military conflict, will respond to provocation in a manner that is 'limited and fitting'. Our continuing policy is to limit our role to the provision of aid, training assistance, and military advice, and it is the sense of Congress that, except when provoked to a greater response, we should continue to attempt to avoid a direct military involvement in the southeast Asian conflict."

This amendment is not an interference with the exercise of the President's constitutional rights. It is merely an expression of the sense of Congress. Would the Senator accept the amendment?

Mr. FULBRIGHT. It states fairly accurately what the President has said would be our policy, and what I stated my understanding was as to our policy; also what other Senators have stated. In other words, it states that our response should be appropriate and limited to the provocation, which the Senator states as "respond to provocation in a manner that is limited and fitting," and so forth. We do not wish any political or military bases there. We are not seeking to gain a colony. We seek to insure the capacity of these people to develop along the lines of their own desires, independent of domination by communism.

The Senator has put into his amendment a statement of policy that is unobjectionable. However, I cannot accept the amendment under the circumstances. I do not believe it is contrary to the joint resolution, but it is an enlargement. I am informed that the House is now voting on this resolution. The House joint resolution is about to be presented to us. I cannot accept the amendment and go to conference with it, and thus take responsibility for delaying matters.

I do not object to it as a statement of policy. I believe it is an accurate reflection of what I believe is the President's policy, judging from his own statements. That does not mean that as a practical matter I can accept the amendment. It would delay matters to do so. It would cause confusion and require a conference, and present us with all the other difficulties that are involved in this kind of legislative action. I regret that I cannot do it, even though I do not at all disagree with the amendment as a general statement of policy.

Mr. NELSON. Judging by the Record of yesterday, many Senators do not interpret the resolution in the same way.

Mr. FULBRIGHT. Senators are entitled to have different views. However, most members of the committee, with one or two exceptions, interpret it the same way.

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

Mr. FULBRIGHT. Differences of interpretation are necessarily always present. I think the Senator's statement is a fair statement.

#### EXHIBIT 1

[From the New York Times, Aug. 4, 1964]

#### THE PRESIDENT'S ADDRESS

My fellow Americans, as President and Commander in Chief, it is my duty to the American people to report that renewed hostile actions against U.S. ships on the high seas in the Gulf of Tonkin have today required me to order the military forces of the United States to take action in reply.

The initial attack on the destroyer *Maddox* on August 2 was repeated today by a number of hostile vessels attacking two U.S. destroyers with torpedoes.

The destroyers and supporting aircraft acted at once on the orders I gave after the initial act of aggression.

We believe at least two of the attacking boats were sunk. There were no U.S. losses.

The performance of commanders and crews in this engagement is in the highest tradition of the U.S. Navy.

But repeated acts of violence against the Armed Forces of the United States must be met not only with alert defense but with positive reply.

#### ACTION NOW IN EXECUTION

That reply is being given, as I speak to you tonight. Air action is now in execution against gunboats and certain supporting facilities in North Vietnam which have been used in these hostile operations.

In the larger sense, this new act of aggression aimed directly at our own forces again brings home to all of us in the United States the importance of the struggle for peace and security in southeast Asia.

Aggression by terror against the peaceful villages of South Vietnam has now been joined by open aggression on the high seas against the United States of America.

The determination of all Americans to carry out our full commitment to the people and to the Government of South Vietnam will be redoubled by this outrage. Yet our response for the present will be limited and fitting.

We Americans know—although others appear to forget—the risk of spreading conflict.

We still seek no wider war. I have instructed the Secretary of State to make this position totally clear to friends and to adversaries and, in indeed, to all.

I have instructed Ambassador Stevenson to raise this matter immediately and urgently before the Security Council of the United Nations.



## CONGRESSIONAL RESOLUTION ASKED

Finally, I have today met with the leaders of both parties in the Congress of the United States and I have informed them that I shall immediately request the Congress to pass a resolution making it clear that our Government is united in its determination to take all necessary measures in support of freedom and in defense of peace in southeast Asia.

I have been given encouraging assurance by these leaders of both parties that such a resolution will be promptly introduced, freely and expeditiously debated, and passed with overwhelming support.

And just a few minutes ago I was able to reach Senator GOLDWATER and I am glad to say that he has expressed his support of the statement that I am making to you tonight.

It is a solemn responsibility to have to order even limited military action by forces whose overall strength is as vast and as awesome as those of the United States of America.

But it is my considered conviction, shared throughout your Government, that firmness in the right is indispensable today for peace.

That firmness will always be measured. Its mission is peace.

[From the Washington Post, Aug. 7, 1964]

## LAND WAR FEARED—CONGRESSIONAL DOUBTS STRONG DESPITE ACCORD

(By Chalmers M. Roberts)

The Congress is about to pass a resolution upholding the President's hand in a foreign crisis but once again what the resolution says isn't everything that is in congressional minds.

Back in 1955 the Senate was so unhappy over the prospects of war with China that the then chairman of the Foreign Relations Committee, Senator Walter George, of Georgia, had to give a public assurance that the Formosa resolution gave no power to Adm. Arthur Radford, then Chairman of the Joint Chiefs of Staff, that only President Eisenhower would act under its terms.

This year a Democratic Congress will uphold a Democratic President, and the Republicans, now led by a man who wants victory in Vietnam, will back him, too.

## LAND WAR FEARED

The Senate debate yesterday made amply clear that what Members fear now is escalation of the current crisis to a point where President Johnson might decide to send American troops to fight a land war in Asia.

That, said Foreign Relations Committee Chairman J. WILLIAM FULBRIGHT, is "the last thing we would want to do." But, rightly, he could give no assurance that it would not happen.

The probability, however, is that it will not happen, no matter what the Communists in either Hanoi or Peking now decide to do. At first glance that may seem encouraging but, in fact, it means a limitation on the options that would be open to the President.

There has been a lot of talk around Washington for a long time about the "Never Again Club," a term applied to those, chiefly in the military but also among civilian leaders outside the Pentagon, who say we should never again face Red China in a land war as we did in Korea. To some, there also is an implication that nuclear weapons should be used next time.

## SENATORIAL MEMBERS

It sounded yesterday as though the club has a lot of senatorial members, too, on the anti-land-war point though no one was advocating the use of nuclear weapons.

But if massed armies are ruled out—and the thousands of American soldiers we already have in South Vietnam are not such an army—the United States has only air and

seapower to apply against the Communists whose strength, as demonstrated in Korea, lies in massed armies.

We do not yet know what Hanoi and Peking will do but it would be very surprising if they accepted the American reprisal without response. Their ability to respond, given limited air power and minor sea power, most probably would have to be in the form of land army action unless it were limited to harassment, murder, and sabotage in South Vietnam against Americans and American installations.

In short, while Congress is worrying about the United States being bogged down in a land war in Asia, the very avoidance of that—given a major Communist response—could lead to major American air and naval assaults on Communist territory.

## MILITARY OR DIPLOMATIC?

Unraveling the tangle of events that led to the North Vietnamese torpedo boat attacks is, for the moment, something for the historians, since the story goes back a decade and more.

The immediate problem facing the Johnson administration is whether, if there is a major Communist retort, the United States should increase the fury of its response or whether it should attempt to find some diplomatic solution.

It is questionable, however, whether United Nations Secretary General U Thant's new suggestions will be any more attractive than General de Gaulle's earlier ones, given the total Asian Communist hostility toward the United States.

The exultation of victory, even in small doses, is a heady business. Anyone now inclined to exaltation had better think twice because there are unlikely to be any meaningful cheap victories in Asia in a military sense.

The signs of concern that showed yesterday in the Senate Chamber, rather than the overwhelming votes expected today for the resolution itself, will have to be taken into account by the President and his associates at the White House, the State Department, and the Pentagon.

[From the New York Times, Aug. 7, 1964]

## SOME FUNDAMENTAL QUESTIONS ABOUT VIETNAM

(By James Reston)

WASHINGTON, August 6.—The Nation has united quickly behind the President's strong military action in Vietnam, but unity and speed, important as they are in the present crisis, should not muffle some fundamental questions about the future political and military relationships in that area.

First, should there not be a formal public undertaking by the South Vietnamese Government that the military weapons supplied by the United States will not be used in offensive measures against Communist North Vietnam without the advance consent of the United States?

Second, should not the United States give a similar formal undertaking to the Government of South Vietnam?

Third, is the mission of the United States in South Vietnam to provide arms and advice to the Government of South Vietnam, as stated officially in the past, or is President Johnson now asking for a congressional resolution that would authorize him to take any military measures he pleases in all of southeast Asia at the request of any south-east Asian ally?

## THE FORMOSA PRECEDENT

The official view here is that it is not helpful to raise such questions when the United States must act together in a hurry, but the President, as Commander in Chief, has the power to repel any new sudden at-

tack, as he did last weekend, and it may be wise to take a day or two to analyze where we are and where we are going.

Obviously, no formal agreement between the United States and South Vietnam could be permitted to interfere with each government's right of self-defense. No American destroyer captain under Communist attack is going to be asked to wireless Saigon for permission to defend himself, and no South Vietnamese military unit defending South Vietnam is going to be asked to get permission from the United States before firing on its attackers.

However, any attack on North Vietnam by either the United States or the South Vietnamese clearly involves the possibility of retaliation by the Communists on both, and thus should be launched only by joint agreement.

This principle of joint action in mutual danger was appended to the Mutual Defense Treaty between the United States and the Republic of China signed here in December of 1954.

At that time, Secretary of State Dulles and Ambassador George K. C. Yeh, of the Chinese Republic, exchanged letters, the key paragraph of which read as follows:

"In view of the obligations of the two parties under the said treaty, and of the fact that the use of force from either of these areas (Formosa or the offshore islands) by either of the parties affects the other, it is agreed that such use of force will be a matter of joint agreement, subject to action of an emergency character which is clearly an exercise of the inherent right of self-defense."

It is stated here officially that there is already an "understanding" with the South Vietnamese Premier, Maj. Gen. Nguyen Khanh, that he will not attack North Vietnam without our consent, and, of course, the United States controls the arms and the gasoline necessary for any prolonged attack, but since General Khanh has recently been waging an open propaganda campaign for an attack on the North, it is not clear why the existing understanding should not be stated formally and publicly.

After all, even fairness to the South Vietnamese requires advance consultation, at least, before any assault on the enemy's territory.

## JOHNSON'S POWERS

The proposed congressional resolution, as it now stands, is a more delicate matter. It could easily be amended to include the principle of joint agreement on any attack on the North, but amending it to restrict the President's action further is more difficult, and maybe it should not be done.

But it should at least be recognized what the resolution now authorizes. It says that the United States regards the maintenance of peace and security in southeast Asia as vital to its national interest and to world peace. And it adds:

"The United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom."

This is a little different from merely sending arms and "advisers" to South Vietnam. It would approve any military action as the President determines in any part of southeast Asia, including military action in support of any nation in the southeast Asia treaty (whose military support of South Vietnam has been virtually nil), provided our military action were sought and the President approved.

Maybe this is what the country wants and there is a good case to be made for it, but even in the hurry to get the resolution passed there shouldn't be much objection to looking at what it says and what it doesn't say.

[From the Washington Post, Aug. 7, 1964]  
VIETNAM OF 1964 RECALLS KOREA OF 1950

(By Marquis Childs)

The really deep trouble in Vietnam lies outside the scope of American sea and air power. The great question is whether the South Vietnamese Army has the will to go on fighting on the ground against Communist guerrillas after 17 years of almost unremitting warfare.

Before the naval action in the Gulf of Tonkin, evidence was accumulating that war weariness and political dissension in Saigon had raised grave doubts about the future. Hints were coming from the military clique headed by Gen. Nguyen Khanh that the United States would have to take a much larger share of the burden, including even direct participation in combat.

On the recommendation of Gen. Maxwell D. Taylor, the new Ambassador in Saigon, Washington moved to increase the number of American military advisers from 16,000 to 22,000. They were, it was reported, empowered to fire back if fired on. No one can say whether this will be enough.

At the same time, disturbing rumors have circulated in Saigon about a new coup to replace General Khanh. If the worst should happen, the Johnson administration faces an awesome choice—sending in large numbers of American combat troops or expanding the war with massive bombing in the north. The risks in either course are incalculable. To get out, a third choice, seems impossible in view of what has gone before and in the light of politics in the presidential year.

The beginning of the Korean war 14 years ago comes vividly to mind. The atmosphere then was very much what it is today. Republicans and Democrats were rallying around President Truman and promising him support against Communist aggression. Robert A. Taft, minority leader in the Senate, gave reluctant assent despite his strong isolationist convictions. It was a moment of patriotic fervor in which Mr. Truman, by almost unanimous opinion, emerged as a strong and decisive President.

But that mood quickly altered. As the woefully untrained American troops that were rushed from Japan were pushed back almost off the Korean Peninsula with fearful casualties, it became "Truman's war."

By the 1952 campaign and the disaster resulting from the massive Chinese invasion, this was the chief line of Republican attack. General Eisenhower could say at the University of Illinois that Midwestern farm boys should stay at home and let Asians fight Asians.

Mr. Truman had resisted the demand to bomb the privileged sanctuary across the Yalu River. He had shown marked restraint out of concern that the war would be enlarged to a global scale. He was damned from hell to breakfast for that restraint.

There is one important difference today. In 1950, Mr. Truman went to the United Nations before responding to the North Korean attack. By a piece of luck, the Soviet delegate was absent, so that the Security Council could pass a resolution calling on the U.N. to join in resisting aggression. This time the United States struck first.

Except for the Communist nations, almost every U.N. member approved a joint defense of Korea. Even neutralist India sent an ambulance unit. If a widened conflict develops in Vietnam, this country will find it hard to rally support. It will have the look of a war waged by white men against Asians.

This is, in effect, what President de Gaulle has been saying—that the war, as it is currently being fought, cannot be won. The French tried for nearly 7 years, beginning in 1947, and they sacrificed the cream of St. Cyr, their West Point, in the vain effort. Unhappily, De Gaulle's prescription for end-

ing the war has been based on a formula of neutralization that sounds like surrender.

Three long-term consequences of a greatly enlarged war in Asia, if it comes to that, are unforeseeable. The most important single event of the last 2 to 3 years has been the split between the Soviet Union and China, with reverberations throughout the Communist world. In recent weeks that split has seemed to be irreconcilable. It could be healed by a war between the United States and China. Expert opinion here is that Moscow would stop short with condemnation of American moves.

But that is conjecture. As often in the past, the most baffling and frustrating element in the new crisis is the enigma of Red China. American policy has walled off a nation of 600 or 700 million people and what goes on in the fastness of Peking is as mysterious as what may be happening on Mars. That may have been inevitable after Korea. But it is today a tragic commentary on the darkness that cloaks the dubious future in Asia.

[From a Milwaukee Journal editorial, Aug. 6, 1964, as reported in the New York Times]

#### APPEAL FOR RESTRAINT

It may be that the North Vietnamese, with the backing of Communist China, were testing the American will. If so, they have their answer.

There is some danger that this country may tend to overreact to North Vietnamese stings because of our political situation. President Johnson has been under attack for what opponents call a "no win" policy in southeast Asia. He has been unwisely urged to escalate the war.

Under such circumstances, a President can be handicapped in making vital decisions. President Johnson will need courage and patience and restraint to keep the Nation from the wider war that he—and all who realize what modern war is—wish to avoid.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a joint resolution (H.J. Res. 1145) to promote the maintenance of international peace and security in southeast Asia, in which it requested the concurrence of the Senate.

#### MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY IN SOUTHEAST ASIA

The Senate resumed the consideration of the joint resolution (S.J. Res. 189) to promote the maintenance of international peace and security in southeast Asia.

Mr. NELSON. Mr. President, has my time expired?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. In fairness to the Senator from Alaska, I cannot yield any more time.

Mr. McNAMARA. Mr. President, I suggest the absence of a quorum, with the time not to be charged to either side.

Mr. FULBRIGHT. Mr. President, will the Senator withhold that suggestion?

Mr. McNAMARA. I withhold it.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FULBRIGHT. Since the House has passed a joint resolution which I understand is identical to our resolution, by a vote of 414 to 0, with one Member voting present, and the House joint resolution has now been received by the Senate, is it proper to ask unanimous consent to take up the House joint resolution and substitute it for the Senate joint resolution?

The PRESIDING OFFICER. It is proper to ask unanimous consent to take up the House joint resolution, and to vote on the House joint resolution in lieu of the Senate joint resolution.

Mr. MORSE. Temporarily, I shall have to object. When the time has been exhausted, if the Senator wishes to renew his request, I may not object. I do not wish to sacrifice any more of our time. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. FULBRIGHT. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Arkansas has 2 minutes remaining.

Mr. FULBRIGHT. What happened to my 7 minutes? Every time I inquire as to how much time I have left, the time goes down by 5 minutes. I was not talking on my time. I was responding to a question by the Senator from Wisconsin. I did not yield myself any time to respond to the question. I do not see how I can possibly have used any time.

The PRESIDING OFFICER. The Chair's statement as to the remaining time is based on what the Parliamentarian advises the Chair.

Mr. FULBRIGHT. Perhaps his watch—

The PRESIDING OFFICER. All these discussions take a great deal of time.

Mr. DIRKSEN. It depends on whose time it is. The Senator from Arkansas did not yield any time.

Mr. MORSE. This is becoming ridiculous. I ask unanimous consent that the agreement be extended for an additional 10 minutes, with that time made available to the Senator from Arkansas.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. FULBRIGHT. I yield 1 minute to the Senator from Florida.

Mr. SMATHERS. Mr. President, I voted for this resolution in the Foreign Relations Committee yesterday, and I expect to support it when we vote in the Senate today.

In the committee I had the occasion to commend the Secretary of State Dean Rusk, Secretary of Defense Robert McNamara, the Chairman of the Joint Chiefs of Staff, General Wheeler, and—of course—the President of the United States, on the action which they took in response to the unprovoked, premeditated, and deliberate attacks made on our naval ships on the 2d of August and again on the night of the 4th of August.

The facts are indisputable. At the time of the first attack by the North Vietnamese PT boats on the U.S.S. *Maddox* on August 2, the U.S.S. *Maddox* was



something in the neighborhood of 25 to 30 miles offshore operating in international waters in the Gulf of Tonkin. According to the testimony, the commander of the U.S.S. *Maddox* had some information that this attack might develop and he was seeking to avoid any contact with the PT boats, yet they pursued and overtook him, firing torpedoes at his ship and subsequently coming alongside and strafing him with .50-caliber machineguns.

The U.S.S. *Maddox* returned the fire, damaging seriously one of the PT boats. It was shortly after this occasion that we were briefed by the Department of Defense as to just what had transpired. Secretary McNamara told us of plans to continue to operate our naval ships in the international waters in the Gulf of Tonkin, and said that now the President had given orders for the ships and men not only to defend themselves, but to shoot to destroy. It was shortly after these orders went out that we were called to the White House and told of the second attack by a host of North Vietnamese PT boats against not only the U.S.S. *Maddox*, but the destroyer *C. Turner Joy* which was operating in conjunction with the *Maddox* some 65 miles from the nearest coast.

After all the facts were presented to us no responsible persons could arrive at any other conclusion than that the attacks were deliberate and intended to be provocative. When the President told us of his orders in response to the attack, it was agreed by all those present that our retaliation was appropriate. It was decisive; it was thorough; it was quick, yet it was restrained and it was measured. The punishment fit the crime.

By such action the President of the United States made it clear that the United States was not going to have its ships, its men, or its flag, shot at or attacked anywhere in the world where we had a legal right to be without quick and decisive response. This action is, figuratively speaking, language which the Communists understand. If they made a miscalculation with respect to whether or not the United States was in truth and in fact, as their propaganda had insisted, a "paper tiger," they no longer suffer from such disillusionment. They now know for a certainty that we will respond totally and completely if necessary, to any unwarranted action they may take against us.

They now understand that we are concerned in southeast Asia through our membership in the SEATO Organization; and that our commitments there are totally concerned with protecting the newly independent countries of southeast Asia and assisting them in achieving freedom and democracy. They now know that we are not going to be bluffed or bullied out of our commitments to our friends and allies in that area of the world.

I, along with others, approved of this action by the President of the United States because I believe it signifies a long needed change in policy. It, in effect, states that there will never again be a hidden hand behind which the Communists can hide after they have made attacks

on us, such as existed in Korea, north of the 38th parallel.

If we should become involved in stepped-up military action in the Asiatic theater, and we of course hope and pray that we do not, but if we do, the Communists must understand that there will be no sanctuary from which their military forces can operate with impunity.

I hope and trust that those who would make these momentous decisions for the Communist world, would understand that the policy has changed.

Mr. President, I shall not delay the Senate longer. I am sure each Senator has his mind already made up. I am certain that a vast majority of Members of Congress on both sides of the aisle stand wholeheartedly behind this action taken by the President of the United States.

I am certain that every Member of the United States Congress who votes for this resolution recognizes that if we do not make such response—as we did in this recent instance against the North Vietnamese—there will be other more serious aggressions against us, and others in the free world. And the time would come when we would be forced out of international waters, and forced to retreat and run from our friends and allies around the face of the globe. This resolution makes it clear that we stand behind the President in a firm resolve to give whatever is required in time, substance, money or lives to the protection of those ideals of freedom which we hold so dear and for which this Nation has so long stood. I feel that each Senator who supports this resolution recognizes that in being true to our heritage we have no other course.

Mr. FULBRIGHT. I yield 5 minutes to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, last night I read in one of the local newspapers a speculative article which undertook to give this subject something of a partisan cast. One of the expressions used was, "The President has done it again." That is an unfortunate speculation, because that was not involved in any of the discussions we have had about the joint resolution.

I attended the briefing at the White House. It lasted for almost an hour and a half. The whole case was laid out the table by the President, by the Director of the Central Intelligence Agency, by the Secretary of Defense, and by the Secretary of State. Thereafter, there was no limit on the amount of discussion or on the questions that any member of the joint leadership from both the House and Senate might have wished to propound, whether they were addressed to the Secretaries or to the President.

When the meeting was over, we discussed the content of a resolution, with the understanding that the resolution could be modified and simplified, if that were necessary or deemed desirable. That was the whole story.

Before we left the Cabinet room, the President asked every Member who was present whether he would give support to the resolution. Every Member responded. I am rather proud of the fact

that every Republican who responded said that, speaking for himself and, hopefully, for the party, he would support the President in his determination to meet the crisis now before us in the South Pacific.

This is in line with every policy statement that the minority policy committee and the minority party have made with respect to foreign affairs. We have constantly emphasized that all we ask, when a decision is pending or a crisis is upon us, is to be consulted, to have an opportunity to offer alternative proposals and substitutes. When we have had our day in court and the decision has been made, we are prepared to abide by the decision and to demonstrate to the whole wide world that there is no division between the Executive and Congress in repelling aggression aimed at our forces wherever we are under protocol or treaty obligations. We have religiously adhered to that posture and that policy ever since.

The President could have taken this action in his own right as the Commander in Chief. He does not have to ask Congress about the deployment of troops, submarines, bombers, and fighter planes.

What is involved is a demonstration that the executive and legislative branches of the Government stand together in an hour of need and threat, and when there is peril in a section of the world that could easily jeopardize the entire free world.

I wished to make clear how the minority stands, and how it stood in that briefing session, and also when this subject was before the various committees of the Senate and House.

Mr. FULBRIGHT. Mr. President, I yield myself 5 minutes.

I wish to affirm what the distinguished minority leader has said. I was present at the briefings. There was not the slightest indication of any kind of partisanship in any sense. Back through the years, when similar resolutions have been under consideration, this has also been true. It was true when there was a Republican administration.

I cannot resist paying a compliment to the distinguished Senator from Illinois [Mr. DIRKSEN]. While on certain matters he is a great partisan leader, nevertheless, on all matters affecting the security of this country, matters which are comparable to this kind of situation, I have never seen him be partisan, either on the floor or off the floor of the Senate. He always rises above partisanship in dealing with problems that directly involve our security and reserves his partisanship, as all of us do, for less profound subjects than those which threaten the security of our country. This is, of course, normal and demonstrates the distinction between foreign relations and domestic relations.

I did not see any such article as that to which the Senator from Illinois has referred; but if there was such an article, it was entirely in error, because there was no partisanship, and none is involved in this measure.

Now I wish to say a word or two about the House joint resolution. It passed

the House by a vote of 414 to 0. I do not believe that in a democracy unanimity is always necessary. Certainly, it is not necessary when we are dealing with matters of substance involving domestic legislation, or even legislation dealing with foreign relations. However, in the expression of an advisory opinion of broad policy, which this resolution is, it is a happy and fortunate circumstance if there can be a high degree of unanimity. So I am much pleased by the House action. I hope the Senate will approach that unanimity, if possible.

I realize that we all have our apprehensions about what may happen in South Vietnam or elsewhere. But fundamentally, under our system, it is the President, as our representative in these activities, who must necessarily have the dominant role, however jealous we may be of our own privileges—and we rightly should be in many areas. But in dealing with the Nation's security or with threatened warfare, we must rely to a great extent on the decisions of the Executive. We always have a reserve power, when we see that the President has made a mistake. We can always later impeach him, if we like, if we believe that he has so far departed from the sense of duty that he has betrayed the interests of our country.

But essentially the joint resolution is an exhibition of solidarity in regard to the will and determination of this country as a whole, as represented in Congress, to support the broad policies that have been well announced and well described in the words of the President, both recently and in past months. We are exhibiting a desire to support those policies. That will have a strong psychological effect upon our adversaries, wherever they may be.

I believe the joint resolution is calculated to prevent the spread of the war, rather than to spread it, as has been alleged by some critics of the resolution. I have considered every possible alternative, both those that have been suggested on the floor of the Senate and elsewhere, and I still have come back to my own conclusion that the action that was taken; the resistance that was made in the Gulf of Tonkin; the joint resolution adopted in committee; and all our actions in this connection, are best designed to contribute to the deterrence of the spread of war.

No one knows, in this uncertain world, whether the war will spread. It could easily spread because of the determination of our adversaries, in spite of anything we might do. But I sincerely believe that this action, taken with such general support by both Houses of Congress, will result in deterring any ambitions or reckless adventuresome spirit on the part of the North Vietnamese or the Communist Chinese. So I ask and hope that Members of this body will support the joint resolution.

Mr. President, I ask unanimous consent to have printed at this point in my remarks certain editorials relating to this subject.

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

[From the New Orleans (La.) Times-Picayune, Aug. 5, 1964]

#### INTENTIONS IN THE GULF OF TONKIN

Whatever the Vietcong attack on the U.S. destroyer *Maddox* may mean about Communist intentions in southeast Asia, the decisive response it sparked both aboard the warship and in the White House underscores the clear American intention to stick by its commitments in that troubled area.

While viewing the incident as serious, U.S. officials were not sure what it portends. It might have been a hapless joy ride undertaken by a trio of thrill-seeking patrol boat jockeys. It might have been a tactical maneuver, a planned one-shot probe to test U.S. reflexes in a sensitive location. It might have been the opening gambit in a drive to insulate coastal supply lines between militarily important Luichow Peninsula of Red China and North Vietnam. Or it might have been a political play to forestall pending division in the Communist ranks by increasing tensions in a vital area of conflict between East and West.

Against this range of possibilities, the U.S. response was at once appropriate and cautious. The *Maddox's* counteraction against the three attacking torpedo boats and President Johnson's shoot to kill order illustrate the importance the United States attaches to continuance of patrols in the Gulf of Tonkin. That waterway has significant strategic importance as a line of supply for men and material in support of guerrilla activities in South Vietnam. And it offers the readiest access for assault on supply links into North Vietnam.

Orders to bolster and defend the naval positions there seem to mean that the United States intends to stay right on the job.

[From the Richmond (Va.) Times-Dispatch, Aug. 6, 1964]

#### THE MOMENT OF TRUTH

If the ghost of John Foster Dulles were lurking in the wings of the world stage at this climactic moment, he would smile grimly to see his policy of brinkmanship implemented by the very liberals who denounced his basic premise; namely, that the United States must dare to go the very brink of war in order to halt the expansion of Red imperialism.

President Johnson's statements of the past 2 days revealed the deep reluctance of the United States to risk a major war. But he paraphrased Dulles' contention when he said that "aggression unchallenged is aggression unleashed."

It is reassuring to learn that our NATO and SEATO allies, with the tentative exception of France, agree that the instant retaliation ordered by Mr. Johnson was unavoidable. Yet they expressed hope that Red China will realize the futility of provoking a military showdown certain to occur, should Peiping decide to overrun southeast Asia.

Whether she will do so depends to a great extent on whether Moscow considers the time propitious to revert to Stalinism, throw in her lot with Red China, and shoot the works in a desperate gamble to destroy Western capitalism and clear the track for a Communist takeover of the globe.

Moscow's temptation to do so cannot be dismissed, but it is highly doubtful that Khrushchev—and Mao, for that matter—would risk counterrevolutions. The peoples of East and West equally dread a nuclear war that would exterminate millions and, in all likelihood, condemn survivors to a painful, lingering death on a nuclear-contaminated planet.

For the time being, Moscow has worded its comments obliquely. Tass, as the Kremlin's mouthpiece, has stated that competent Soviet circles resolutely denounced the U.S. retaliatory attack on North Vietnam as absolutely unjustified. Under the circumstances

some such gesture was to be expected. It is to Moscow's advantage to retain at least a perfunctory alliance with Peiping, if only to keep the West off balance, and Russian nuclear weaponry as a bargaining counter in negotiations over Berlin, Cuba, and her European satellites.

"Truth is the first casualty," in any war, as history has redundantly proved. The North Vietnamese propagandists claim that our report of a second attack on U.S. destroyers was a fabrication. Peiping's New China News Agency denounced Johnson's order to bomb North Vietnam bases as a move to enhance his position in the forthcoming presidential election.

Both claims are palpably false; the first, because the approach of North Vietnam's torpedo boats within range of the *Maddox* and *Joy* proved their intention to invite return fire; the second, because the President's decision to attack North Vietnam naval bases was approved by leaders of both parties and by Senator Goldwater, Mr. Johnson's opponent in the November elections.

As the President said yesterday, at Syracuse, in this crisis—"We are one Nation, united and indivisible."

[From the Atlanta (Ga.) Constitution, Aug. 4, 1964]

#### POLITICAL MATURITY AS WELL AS OUR NAVY ARE TESTED IN TROUBLED ASIAN WATERS

The unprovoked North Vietnamese attack on the American destroyer *Maddox* was a test both of our naval preparedness and the maturity of our diplomatic judgment.

Happily, we came through both tests with flying colors.

The *Maddox* herself was undamaged, but she and Navy jets scored hits on two of the PT marauders. The third was stopped cold.

Diplomatically, we forcefully restated our position in southeast Asia, and President Johnson backed it up with orders for a beefed-up Navy force.

But the President, for the time being at least, declined to let the incident trigger carrying the war into North Vietnam.

The difficulties of conducting a wise foreign policy and a presidential election at the same time are well illustrated by the incident. After repeated sniping from the why-not-victory crowd, the President must have been tempted to order direct retaliation on North Vietnam. But because of the delicate involvement of Vietnam in the entire southeast Asia problem, Mr. Johnson exercised restraint.

The time may indeed come when there is no honorable alternative to retaliation on North Vietnam's land bases. We should never fail to make that clear to the Communists.

In the meantime, however, President Johnson and the Navy have made our position plain:

U.S. ships have a right to sail in international waters. They will defend that right with immediate return of fire against any attacking vessel.

North Vietnamese are probing America for any signs of weakness and dissension during this political year. It is to be hoped that none of our homegrown politicians give the Reds any comfort with scatterbrained proposals.

[From the Los Angeles (Calif.) Times, Aug. 6, 1964]

#### UNITED STATES ANSWER TO AGGRESSION

The U.S. response to what President Johnson called deliberate and unprovoked attacks on American destroyers in the Gulf of Tonkin was fitting in selectivity, proper in application, and—given the clear, long-standing statement of U.S. intentions—inevitable in delivery.

There is not the slightest doubt that further attempts by the Communists to inter-



fiere with U.S. ships in international waters or U.S. planes in free skies will be met with retaliatory blows of equal promptness and severity.

As the President made plain in both his address to the Nation Tuesday night and his talk at Syracuse University on Wednesday, the United States seeks no enlargement of the conflict. But this Nation is united in its belief that, in Mr. Johnson's words, "there can be no peace by aggression and no immunity from reply."

We Americans have also the solemn compulsion to face the fact that the Communists, by their attack on American vessels in international waters, have themselves escalated the hostilities—an escalation we must meet. Thus the struggle in southeast Asia inevitably will become deadlier. At least now the cause is clear and we know what we are doing and why we do it.

The motives behind North Vietnam's deliberately aggressive acts are for the moment obscure. It must have been clear to both Hanoi and Peiping that shooting at U.S. ships would not frighten the 7th Fleet out of Tonkin Gulf. Nor, it should have been equally clear, would these acts be permitted to go unpunished.

The destruction of Red antiaircraft batteries in Laos 2 months ago after U.S. planes were shot at should have been ample proof of this.

Perhaps the North Vietnamese and Chinese were counting on U.S. retaliation as a lever to force greater Soviet commitment to the Communist side, in the belief that regardless of doctrinal differences the Russians would stand with their fellow Communists in the event of a showdown with the United States.

Perhaps the attacks were part of an overall strategic plan, timed to coincide with stepped-up ground activities in South Vietnam.

Or perhaps the intent was simply to gain a propaganda victory by a quick humiliation of vaunted U.S. seapower.

In any case the North Vietnamese challenge has been answered, and the United States has shown that any further attempt to escalate the conflict will indeed result in what North Vietnam has called grave consequences.

The Communists may believe that domestic U.S. policies precludes our taking effective action in southeast Asia. They are wrong. Senator GOLDWATER's statement Tuesday night and the response in Congress have shown that, as the President noted, "there are no parties—and there is no partisanship—when our peace or the peace of the world is imperiled by aggressors in any part of the world."

The crisis continues, and in the days ahead may intensify. U.S. strength in the area is being increased, a further earnest of our intentions to challenge any aggression. As the quickly mounted, multipronged strikes against the North Vietnamese naval installations proved, the United States has the power as well as the will to destroy selective targets on a controlled basis. Whether that power will be again used is very much up to the Communists.

[From the Washington (D.C.) Evening Star, Aug. 4, 1964]

#### SHOOT TO DESTROY

It is difficult to understand why the North Vietnamese would want to provide a clash with the U.S. 7th Fleet.

In any such encounter the odds would be overwhelmingly against the attackers. They have no naval force which would stand a chance in a sea engagement, and if they were to damage or sink a U.S. ship on the high seas this would amount to an engraved invitation for a counterattack against North Vietnam.

The fact remains, however, that three PT boats did attack the destroyer *Maddox* while the latter was on patrol in the Gulf of Tonkin, and there seems no doubt that the Communist ships came out of a North Vietnamese base.

In these circumstances, the President's response, it seems to us, has been appropriate. He has instructed the Navy to continue its patrols in the gulf, to add another destroyer to the patrol, to maintain fighter plane cover over the destroyers, and, most significantly, to shoot with a view to destroying any attacking force. This last reflects a major policy change since previous instructions to the *Maddox* had been to defend itself if attacked, but not necessarily to destroy the attacker.

It seems unlikely that Hanoi, in the face of these beefed-up defensive measures, will permit any further attacks on American ships steaming in international waters. If the contrary should prove to be the case, however, the North Vietnamese would be solely responsible for the consequences—and we hope the consequences, if need for retaliation arises, will be severe.

[From the New York (N.Y.) Times]

#### WARNING TO HANOI

President Johnson's response to the North Vietnamese attack on the destroyer *Maddox* contained the right mixture of firmness and restraint. No reprisals are being undertaken. But a strong diplomatic protest is being combined with military measures that should discourage Hanoi from further attacks, if any are planned. American naval forces in the Tonkin Gulf area are being strengthened. And they now have orders to destroy any forces that attack them, rather than merely to drive them off.

It must be hoped that this first attack by North Vietnam on the U.S. 7th Fleet was an error. South Vietnam's small naval forces have staged a number of raids on the North Vietnamese coast. One theory in Washington is that the American destroyer, as seen on North Vietnamese radar, may have been taken for a similar South Vietnamese ship. Another theory is that the incident may simply have been the trigger-happy response of a North Vietnamese patrol, or its command, to an encounter with an American vessel near coastal waters. There have been other recent indications of North Vietnamese nervousness, following talk in Saigon of extending the war.

But the possibility cannot be excluded that the torpedo boat strike was intended to be the first of a series designed, perhaps, to test Washington's determination to continue aiding Saigon. If that be the case, it is essential that Hanoi realize immediately that it has opened a Pandora's box.

North Vietnam's capability of injuring the 7th Fleet is small. The power of the 7th Fleet to damage North Vietnam is incalculable. Since this must be evident, nothing is more vital than for Hanoi to be left in no doubt about the American intention to remain in the Tonkin Gulf and to continue supporting South Vietnam's military effort. The President's action should convey this message clearly.

[From the Washington (D.C.) Post]

#### SOBER RESPONSE

The administration has responded with a reassuring blend of firmness and balance to North Vietnam's attack on the destroyer *Maddox*. President Johnson reaffirmed the shoot-back orders which had led the *Maddox* to return the fire of the three Vietnamese torpedo boats, and he beefed up the 7th Fleet patrol in the international waters off the Vietnamese coast. At the same time he directed that a protest be made through one of the indirect channels available to this country in the absence of formal relations with Hanoi.

This sequence, no less than the calmness with which it was undertaken, should leave no doubt in Hanoi's mind about the intention of the United States to claim and exercise its right to cruise in international waters and to defend itself against any further unprovoked attacks. The President's actions should also leave no doubt that the United States is determined to use its great power wisely, to husband its strength unless and until there is appropriate military and political occasion for its employment, and to avoid being tricked or provoked into imprudence.

Naturally, it will be asked if the American reaction was adequate to the needs of the situation. These needs are, in our view, limited: the protection of American ships and men and the discouragement of further attacks. Premier Khanh of South Vietnam feels the United States must also act so as not to appear a "paper tiger." One can guess that others, perhaps thinking of different ends than morale in South Vietnam, will join him in extending the list of needs which require satisfaction.

There is nothing sacred about the President's restraint, to be sure, but we feel it was tailored well to the specific challenge and that it leaves the United States in a strong position, politically and diplomatically, to take more drastic action later if that should become necessary. In our view, it was sensible to treat the attack as a single incident or uncertain purpose, and not as the deliberate start of a campaign to tease the American Navy or provoke a David-Goliath confrontation with the mighty 7th Fleet. Hanoi's persistent efforts to pry the United States out of the Vietnam conflict argue against the latter view. The Communists must also consider that the advantages which accrue to guerrillas on land are largely lacking to marauders by sea.

The difficulty of reading Hanoi's mind on this score is enhanced by the peculiar half-light of signal and security which shines on, but fails to illuminate, many moves by both sides in Vietnam. Of all the moves so lighted, those connected with proposals to carry the war to the North are the most delicate. Over the weekend the North charged that two islands had been shelled by American and South Vietnamese ships and that a border village had been hit from the air by American planes crossing over from Laos. These accusations were promptly rebutted by American officials, but they contribute to the atmosphere of danger and ambiguity that enshrouds the attack on the *Maddox*.

[From the Baltimore (Md.) Sun, Aug. 4, 1964]

#### ON WARNING

When the news of the North Vietnamese attack on the U.S.S. *Maddox* was flashed back to Washington early Sunday the administration decided to play the affair in low key. That posture was deliberate and studied. At home nerves already are on edge, and in southeast Asia tension is a standard component of the atmosphere. Because the raid on the patrolling destroyer was repulsed without American casualty, there was nothing to be gained from turning it into an emotional production. The news was made public in an announcement exemplary for its restraint, and in subsequent discussion the administration portrayed the attack as an incident of minor consequence.

There is a danger in such caution. It conceivably could encourage a rash enemy, thwarted once, to try again. If the North Vietnamese or any of their allies had found the American reaction deceptive, and had thought of new adventures, the President's fresh instructions to the Navy must make the prospect singularly unattractive. The White House has ordered the patrols in the

Gulf of Tonkin to be continued with air cover and in doubled strength, and the Navy is directed to destroy any attacking force. In the future there can be no doubt as to the response.

The presence of American warships off the Communist coast is necessary to the defense of South Vietnam. It is a surveillance operation designed to detect any unusual movement of troops or supplies and to prevent any sudden Communist push. It is a perfectly legal patrol, and American ships have as much right to be there as in the high seas off Hampton Roads. No ship in international waters can be expected to endure attack without reprisal, and the Communists have been put on formal notice that American reprisal will be swift and devastating.

[From the Charlotte (N.C.) Observer, Aug. 6, 1964]

#### MAO FACING WAR-OR-PEACE CHOICE IN SOUTHEAST ASIA

For the second time in less than 2 years the United States—and perhaps the world—stands on the brink of major war.

Now, as in October 1962, there is no need to talk of national unity or national determination. These we have in full measure.

All the political leaders who have so recently been engaged in partisan strife, from Senator BARRY GOLDWATER on down, have thrown their support to the President without hesitation in a critical hour. Congress is speedily backing his hand.

Ugly as they are, the Mississippi murders, the northern race riots and the growing bitterness between races and between political factions, all these have been suddenly thrust into the shadows by gunfire and bomb bursts in the Far East.

We wait and watch while the deployment and use of vast destructive powers move toward a showdown, link by link.

The chain began with an incident which, in a tactical sense, would scarcely have rated mention in the annals of World War II. North Vietnamese patrol boats made torpedo attacks on the *Maddox*, a 7th Fleet destroyer on solitary and lonely patrol in the Gulf of Tonkin off North Vietnam. The *Maddox* acquitted itself well, and with the help of naval aircraft, damaged and drove off the attacking craft.

President Johnson responded with the kind of caution which is imperative in world leaders in the nuclear age. He issued a warning and ordered air and surface reinforcements to the scene. It was barely possible that the attack had not been authorized by the government of Ho Chi Minh.

Tuesday a new flash came, and all doubt was blasted away. The *Maddox*, the destroyer *C. Turner Joy* and supporting aircraft had fought off another attack, sinking two enemy boats and damaging two.

In every capital of the world, all lingering questions about timidity or excessive restraint were answered by President Johnson's response. The punishing air attack which he ordered against the coastal installations of North Vietnam constituted but one thing—a heavy punch on the nose of Asian Communists.

But as the President stated, it was a "limited and fitting" response. While force was met with superior counterforce, the options for broadening the conflict now rest in the lap of Mao Tse-tung, the real originator of Communist aggression in southeast Asia.

Given the Chinese sensitivity to loss of face, it will not be an easy blow to absorb. Yet Mao has the instincts of a thousand Chinese warlords before him who knew that canny restraint, or even evasion, was sometimes necessary in the presence of great danger.

We can only hope that Chinese wisdom outweighs Chinese sensitivity in the critical hours and days ahead. For with all bluff gone, the issue is joined and a bloody and

destructive war is almost certain to come with any new Communist aggression.

[From the Los Angeles (Calif.) Times, Aug. 6, 1964]

#### U.S. ANSWER TO AGGRESSION

The U.S. response to what President Johnson called deliberate and unprovoked attacks on American destroyers in the Gulf of Tonkin was fitting in selectivity, proper in application and—given the clear, long-standing statement of U.S. intentions—inevitable in delivery.

There is not the slightest doubt that further attempts by the Communists to interfere with U.S. ships in international waters or U.S. planes in free skies will be met with retaliatory blows of equal promptness and severity.

As the President made plain in both his address to the nation Tuesday night and his talk at Syracuse University on Wednesday, the United States seeks no enlargement of the conflict. But this Nation is united in its belief that, in Mr. Johnson's words, "there can be no peace by aggression and no immunity from reply."

We Americans have also the solemn compulsion to face the fact that the Communists, by their attack on American vessels in international waters, have themselves escalated the hostilities—an escalation we must meet. Thus the struggle in southeast Asia inevitably will become deadlier. At least now the cause is clear and we know what we are doing and why we do it.

The motives behind North Vietnam's deliberately aggressive acts are for the moment obscure. It must have been clear to both Hanoi and Peiping that shooting at U.S. ships would not frighten the 7th Fleet out of Tonkin Gulf. Nor, it should have been equally clear, would these acts be permitted to go unpunished.

The destruction of Red antiaircraft batteries in Laos 2 months ago after U.S. planes were shot at should have been ample proof of this.

Perhaps the North Vietnamese and Chinese were counting on U.S. retaliation as a lever to force a greater Soviet commitment to the Communist side, in the belief that regardless of doctrinal differences the Russians would stand with their fellow Communists in the event of a showdown with the United States.

Perhaps the attacks were part of an overall strategic plan, timed to coincide with stepped-up ground activities in South Vietnam.

Or perhaps the intent was simply to gain a propaganda victory by a quick humiliation of vaunted U.S. seapower.

In any case the North Vietnamese challenge has been answered, and the United States has shown that any further attempt to escalate the conflict will indeed result in what North Vietnam has called "grave consequences."

The Communists may believe that domestic U.S. politics precludes our taking effective action in southwest Asia. They are wrong. Senator GOLDWATER's statement Tuesday night and the response in Congress have shown that, as the President noted, "there are no parties—and there is no partisanship—when our peace or the peace of the world is imperiled by aggressors in any part of the world."

The crisis continues, and in the days ahead may intensify. U.S. strength in the area is being increased, a further earnest of our intentions to challenge any aggression. As the quickly mounted, multipronged strikes against the North Vietnamese naval installations proved, the United States has the power as well as the will to destroy selective targets on a controlled basis. Whether that power will be again used is very much up to the Communists.

[From the Chicago (Ill.) Tribune, Aug. 6, 1964]

#### MR. STEVENSON SPEAKS FOR AMERICA

Ambassador Adlai E. Stevenson's calm and lucid discussion before the United Nations yesterday of Communist torpedo attacks upon American warships off the coasts of North Vietnam provided the American people with an understanding of the crisis in southeast Asia which, until he spoke, had been sadly lacking.

President Johnson, in his address to the Nation Tuesday night and in his speech yesterday at Syracuse University, had asked unity in support of American firmness. He is more likely to get it now that Mr. Stevenson has stated the facts and explored the Communist motives.

As our spokesman told the U.N. Security Council, the attacks by North Vietnamese patrol torpedo boats in international waters—the first 30 miles offshore and the second more than 60—were senseless in themselves. But, said Mr. Stevenson, taken as part of a larger pattern, they disclosed a relentless determination by the Communists to subjugate the whole of the area by terror and force.

In this enterprise, he emphasized, the Ho Chi Minh regime in Hanoi could not be considered to be acting alone. It was teamed up with and supported by Communist China in a systematic violation of the Geneva accord of 1954 which was supposed to guarantee the peace of the countries which formerly composed French Indochina.

Mr. Stevenson said that these aggressors must be taught that their criminal methods would not pay. He said that the American reprisal air raids against Communist torpedo boat flotillas, their bases, and their oil depots were limited in intention, designed to correct the mistaken Communist impression that the United States would hold still for any brazen act of piracy.

If Peiping and Hanoi get the message and put into practice the agreements to which they are honorbound under the Geneva accord, the Ambassador said, southeast Asia could look forward to peace. But not until there are visible proofs that the Communists intend to cease their aggressions on land and sea and leave their neighbors in peace would the United States find it possible to withdraw its forces from that part of the world.

Mr. Stevenson repeated what President Johnson had said—that the United States does not want any wider war. He went beyond that to say that the United States does not want war at all, and there would be no war in southeast Asia if the Communists, in violation of their Geneva pledges, were not making it.

The Russian spokesman, who followed Mr. Stevenson, made the usual Soviet effort to befog the issue by calling for an appearance by North Vietnam before the Council. That country is not even a member of the United Nations, and the only purpose would be to fill the air with propaganda.

We have felt all along that the American people will support the policy of this or any other administration as long as they know what it is and what is at stake. Until now, the administration has created most of its difficulties in winning public confidence by its own failure to deal honestly with the people.

When its Pentagon spokesman has declared the existence of a policy of "news management" and has spoken of news as "weaponry" available to the President, adding that is the right of a government "to lie to save itself," it is hardly inviting the confidence of the people.

Mr. Stevenson has put Communist practical acts and the systematic campaign to conquer South Vietnam and Laos in clear perspective. His unadorned recital of what has happened and is happening in southeast Asia will go a long way toward persuading



the people that they now are informed about Communist objectives and the purpose of American counteraction. The Washington administration should be relieved that its brief was given such effective presentation.

[From the Wall Street Journal, Aug. 6, 1964]  
THE PRESIDENT'S DECISION

Everyone hopes the President's decisive move in ordering limited retaliation against North Vietnam will cause the Communists to abandon their forays in the Gulf of Tonkin and perhaps rethink their whole war effort. Yet, decisive though this U.S. reaction was, an aura of indecisiveness still clouds important questions on both sides of the struggle.

While Communist intentions can only be a matter of speculation, it may be that the Reds' own uncertainty about how far to push the war inspired the attacks on the 7th Fleet. At least it seems reasonable to interpret the attacks as a probing action designed to gauge the American response; for a long time no one could be sure how strongly the United States would prosecute the defense of South Vietnam. Now the Communists have part of the answer, though what they will make of it is something else again.

It is possible Communist China and its allies have decided now is the time for a showdown with the United States, but their own past behavior suggests otherwise. They did not push Korea to the bitter end. They did not mount an all-out attack on Taiwan. They did not pursue the harassment of Quemoy and Matsu to the point of major hostilities.

In Vietnam itself, of course, the Red tactic has been guerrilla warfare—incessant probes for weakness, if you like—rather than frontal assaults, and so far there has been relatively little evidence of direct Chinese participation. Since this type of warfare has been increasingly successful for them, it is likely they will continue to step it up to their stern rebuff in the Gulf of Tonkin.

That prospect leads us to the remaining areas of uncertainty about the U.S. position. It seems beyond doubt that the Government has decided to stay in Vietnam. It seems further that a decision has been reached to make a stronger stand—advocated, perhaps not so incidentally, by Senator GOLDWATER. Even before this week's naval engagements, it was planned to beef up the American forces in South Vietnam.

But if the war aim is to rid South Vietnam of the Communists once and for all, how it is to be accomplished? It certainly is not being accomplished now. Will it be necessary to intervene in much greater force and finally take over the direction of the war from the Vietnamese generals?

Anything along that line faces serious obstacles. Those generals are jealous of their prerogatives. The political instability in Saigon is so bad that talk is heard of yet another coup. Many of the people are far from dedicated to the fight against communism and indeed an undetermined number in the countryside are evidently sympathetic to the Communist Vietcong guerrillas.

Even if it is possible to extirpate the Communists with a major undertaking, it is difficult to see how future infiltration could be prevented. At any rate, it would seem to require a very large force to seal off the various and fluid borders, and the force might have to remain indefinitely, as in Korea.

Perhaps the Pentagon has effective answers to all these questions, but our Vietnamese involvement to date does not lend much support to that hope. Indeed, the history of that involvement has been marked by indecisiveness and confusion. The United States has drifted deeper and deeper into the war without even appearing to know how to achieve its aims or always knowing what the aims were.

For some time, however, the course of events has itself narrowed the range of indecision. That is, the failure of small-scale "advisory" action has led to progressively fuller participation and mounting American casualties until now we are at the point of limited action against North Vietnam. Unless the Communists are deterred by that, it seems only too probable that the process will continue until we are committed to doing all that is necessary to get the Communists out.

Whatever actually happens, it is regrettable the United States is once again so enmeshed in so unpromising a venture. Yet we have gone so far that there appears no acceptable alternative. And if the President's order means the Government is at last on the road to firmness and decisiveness, it may be the best hope the circumstances offer.

[From the New York (N.Y.) Daily News, Aug. 6, 1964]

#### BACKLASH IN TONKIN GULF

The North Vietnam Reds on Tuesday mounted their second PT boat attack on U.S. warships in the Gulf of Tonkin.

Thereupon, President Lyndon B. Johnson remembered that he is a Texan, or gave a thought to Senator BARRY GOLDWATER's repeated "Why not victory?" cracks, or both.

Anyway, the President ordered our Far East air and sea forces to backlash fittingly at the North Vietnam Reds.

Our men carried out this assignment yesterday, superbly.

U.S. naval aircraft destroyed or damaged 25 North Vietnamese PT boats, hatched up 5 torpedo bases, and wrecked the big oil storage depot at Vinh, in North Vietnam.

Cost to us: two planes and their pilots, may they rest in peace.

Unless the North Vietnamese take some more pokes at us, this backlash will be our last, according to present plans. The President said we want no wider war, in his dramatic TV-radio address to the Nation late Tuesday night.

The great majority of Americans, we believe, heartily approve all this; and we think Congress should endorse it after adequate debate.

And it is reassuring to see our Far East forces get set for whatever may grow out of the episode.

North Vietnam President Ho Chi Minh is obviously hopping mad over this unexpected sledge dealt by us to his wispy whiskers. He may try to get hunk; Red China may try to help him.

Both of the Communist governments' press and radio mouthpieces are making big talk about how they will soon be coming around to get revenge for yesterday's U.S. air strikes.

In that event, it may be our heaven-sent good fortune to liquidate not only Ho Chi Minh but Mao Tse-tung's Red mob at Peking as well, presumably with an important assist from Generalissimo Chiang Kai-shek and his Nationalist Chinese forces on Taiwan (Formosa).

[From the Providence Journal, Aug. 6, 1964]  
"WE ARE ONE NATION, UNITED AND INDIVISIBLE"

In the short but calmly strong address in Syracuse, President Johnson restated this country's simple formula for the restoration of peace in southeast Asia. He also made it abundantly clear that in the current crisis, there are no parties and no partisanship dividing the American people.

What Mr. Johnson offered as a formula for peace in southeast Asia is essentially the same formula to which President Eisenhower and the late President Kennedy dedicated their efforts: the governments in that part of the globe ought to follow international agreements already supposed to prevail.

The President urged the governments there to leave each other alone, to settle their

differences peacefully, and to "devote their talents to bettering the life of their peoples by working against poverty and disease and ignorance." "Peace requires that the existing agreements in the area be honored."

"To any who may be tempted to support or to widen the present aggression" by North Vietnam, he said, "I say this. There is no threat to any peaceful power from the United States, but there can be no peace by aggression and no immunity from reply. That is what is meant by the action" taken by the Navy.

Having made plain "to the people of all nations" the reasons for this Nation's course of action in recent days, the President made it equally plain that, for Americans, this is no time for politicking with crisis. Congressional support of the President yesterday dramatized this fact.

"Let no friend needlessly fear and no foe vainly hope that this is a nation divided in this political year," he said. "Our free elections—our full and free debate—are America's strengths, not America's weaknesses. \* \* \*. We are one nation, united and indivisible; united and indivisible we shall remain."

There was strength of purpose and calmness of language in the President's brief message. But there also was clarity and eloquence. There will be plenty to debate in the coming campaign, but in the face of savage threat to "our peace and the peace of the world," there is solid national unity.

[From the New York Journal-American, Aug. 6, 1964]

#### ACTION IN THE EAST

President Johnson has acted with appropriate firmness and dispatch in ordering retaliatory action against North Vietnam for its attacks on U.S. naval vessels on the high seas.

There is no doubt the overwhelming sentiment of the Nation is behind him. This was swiftly expressed in terms of bipartisan congressional support and included a special statement from Senator BARRY GOLDWATER.

The salient fact of this grave development in the Far East is this: the Communists have changed the ground rules of the continuing struggle in the Far East—and now cannot unchange them. Nor should the United States, in its show of firmness, seek to unchange them.

Before the attack by North Vietnamese torpedo boats on American destroyers patrolling the Gulf of Tonkin, the "rules" were clear. They specified that North Vietnam was a supplier of men and arms to Red guerrillas in South Vietnam. They specified that the United States would train and advise the forces of South Vietnam in operations against those guerrillas.

Now the North Vietnamese Government, or perhaps the Peking Government, has apparently decided on a broader confrontation. The manipulators have thus forced the United States to raise its own sights, too. And it is too early to foresee the consequences of this sudden escalation of war in the Far East.

However, now that our sights are thus adjusted, perhaps the issue of quelling Communist imperialism in the area is closer at hand than before. Perhaps now the vast power of the United States will be brought to bear to enforce peace in the Far East.

The aim of the United States in its blows against North Vietnam is not to spread conflict and not to engage in a major war, nor should it be.

The aim is peace—peace instead of unprovoked assault on the high seas, peace instead of armed attempts to overthrow legitimate governments and peace instead of the outlaw behavior of regimes contemptuous of the fate of millions.

[From the New York Post, Aug. 6, 1964]

#### THE U.N. AND VIETNAM

Clearly the United States does not seek a wider war. Let us hope Asia's Communists do not either. The initial Soviet response, as given by Tass, was quite restrained. While deploring U.S. "aggressive actions," the statement avoided committing Moscow to doing anything about them.

At the U.N., the Soviet delegate was equally restrained. His request that a representative of North Vietnam be invited to participate was doubly significant.

It served to suggest that Moscow did not know what its Communist brethren in Asia were up to. It also set up interesting possibilities of dividing Hanoi from Peiping.

Whatever Russia's motives, there is every reason to invite North Vietnam.

"It is a solemn responsibility," said President Johnson Tuesday night when he disclosed an air strike was in progress, "to have to order even limited military action by forces whose overall strength is as vast and as awesome as those of the United States."

That awesome strength makes it all the more baffling that the North Vietnamese should be seeking to provoke us. Direct contact with the representatives of Hanoi may shed some light on this.

North Vietnam may not like our vessels' presence in the Tonkin Gulf. The Communists have always been sensitive about their frontiers—almost to the point of paranoia. But neither does the United States exactly welcome electronically equipped Soviet vessels carrying on continuous surveillance off Cape Kennedy.

But we put up with it. The right of ships to voyage on the high seas is incontestable. The response of the United States was wholly predictable. The question remains: Why did Hanoi do it?

The more basic question, however, is where are we heading in Vietnam? Are we being sucked into a dark tunnel from which there may be no egress?

Ambassador Stevenson eloquently stated our case. But it was a limited brief, largely restricted to justifying our air strikes under the right of self-defense set forth in article 51 of the U.N. Charter.

We owed this explanation to the U.N. But the U.N. should be more than a sounding board.

The smaller nations, those not directly involved in the dispute, and therefore capable of some detachment, should be encouraged to come forward with proposals for mediation, perhaps conciliation.

Several weeks ago U Thant called for a new Geneva conference. If the parties involved in the war could reach an agreement, Thant said, the U.N. could play a role in seeing that the agreement was carried out. "Even at this late hour," he suggested, means might be found to end the war.

Nothing happened. The United States is again perilously close to a major military venture on the Asian mainland. Surely before we venture further, a major effort should be made to open up channels of communication with our adversaries.

"Blessed are the peacemakers," said President Johnson in June, quoting the Bible in a foreign policy speech that coupled firmness with an olive branch.

Provocative as the Communists have been, that still remains true.

#### EDITORIAL REACTIONS TO ASIAN CONFLICT

(Following are excerpts from newspaper editorial comments on the situation in Vietnam.)

#### EAST

[From the New York News (Independent)]

#### Backlash in Tonkin Gulf

Unless the North Vietnamese take some more pokes at us, this backlash will be our

last, according to present plans. The President said we want no wider war, in his dramatic TV-radio address to the Nation late Tuesday night. The great majority of Americans, we believe, heartily approve all this; and we think Congress should endorse it after adequate debate.

And it is reassuring to see our Far East forces get set for whatever may grow out of the episode.

It may be our heaven-sent good fortune to liquidate not only Ho Chi Minh but Mao Tse-tung's Red mob at Peiping as well, presumably with an important assist from Generalissimo Chiang Kai-shek and his Nationalist Chinese forces on Taiwan.

[From the Herald Tribune (Independent Republican)]

#### The right response

Whoever planned the torpedo-boat attacks, for whatever purpose, stand warned. If they were probing the intentions of the United States, of Red China, of the Soviet Union, they at least know that the United States will resist aggression, and that it has the capability of doing so.

The controlled impact of the American counterblow has clearly made its impact on the world. From its friends this country has received such congratulations as that of Japan (very directly concerned with the problem of Communist expansion in Asia) and such encouragement as that of Britain in the Security Council. From the Soviet Union has come denunciation—but it is oddly perfunctory.

[From the Journal-American (Independent)]

#### Action in the East

President Johnson has acted with appropriate firmness and dispatch in ordering retaliatory action against North Vietnam for its attacks on U.S. naval vessels on the high seas. There is no doubt the overwhelming sentiment of the Nation is behind him.

The salient fact of this grave development in the Far East is this: The Communists have changed the ground rules of the continuing struggle in the Far East—and now cannot unchange them. Nor should the United States, in its show of firmness, seek to unchange them.

Now the North Vietnamese Government, or perhaps the Peiping Government, has apparently decided on a broader confrontation.

[From Newsday (Independent)]

#### Mild response

The North Vietnamese and their Chinese preceptors should now realize that we mean what we say: that further aggression will be countered by further, carefully directed force, and that the peace of southeast Asia can be reestablished overnight only if the Communists will cease meddling in the affairs of small nations that want to live at peace.

The purpose of the United States is to demonstrate that we are willing, as the President says, to face with courage and to meet with strength this challenge precisely as we did in Greece and Turkey, Berlin and Korea, Lebanon and Cuba.

On that platform for national defense, and for peace, the whole country can unite, regardless of political differences.

[From the Post (Independent)]

#### The U.N. and Vietnam

North Vietnam may not like our vessels' presence in the Tonkin Gulf. The Communists have always been sensitive about their frontiers—almost to the point of paranoia.

But neither does the United States exactly welcome electronically equipped Soviet vessels carrying on continuous surveillance off Cape Kennedy. But we put up with it. The right of ships to voyage on the high seas is incontestable. The response of the United States was wholly predictable.

The question remains, why did Hanoi do it? The more basic question, however, is: Where are we heading in Vietnam? Are we being sucked into a dark tunnel from which there may be no egress?

The smaller nations, those not directly involved in the dispute and therefore capable of some detachment, should be encouraged to come forward with proposals for mediation, perhaps conciliation.

#### NEW ENGLAND

[From the Boston Herald]

#### Test of U.S. policy

The sudden flareup of hot war in Vietnam provides a vital test of the flexible defense strategy favored by the Kennedy-Johnson administration.

The next move is up to the Reds. If they seek a wider war, they can have it. Because of our flexible strength, because we are able to answer first in a limited and fitting way, the chances of avoiding a major showdown are good. The flexible defense strategy has given us options which may make a life-or-death difference for our generation.

[From the Hartford Courant (Republican)]

#### Red China blamed

As in Korea, when this country last stood up against military aggression, we may expect a world that often wonders about our maturity and responsibility to support our sharp but limited retaliation. Let us hope United Nations Security Council understands and does not temporize with a great threat to the peace it is its duty to preserve.

Most likely explanation of what has happened is that this is Red China's response to the American decision to step up its aid to South Vietnam and to all southeast Asia if need be, by way of countering increasingly successful North Vietnamese pressure southward.

#### MIDDLE ATLANTIC

[From the Newark Evening News]

#### After the storm

Whatever the intention, the attack and the precisely tailored response it has drawn serve to reinforce the conditions that must prevail before a realistic settlement can be attempted. Neither the United States nor any of its allies need, or will, settle for less freedom and more Communist encroachment in Southeast Asia. Negotiation is possible. It is desirable. But it must be more firmly rooted than in 1954 or 1963. Its results must be susceptible to more effective enforcement.

One dividend to be derived from the conflict in the Gulf of Tonkin is that the United States has demonstrated its capability of dealing with a variety of eventualities. However much they may rant and threaten in the dangerous days that lie ahead, our Communist adversaries cannot lose sight of that fact.

[From Philadelphia Bulletin (Independent)]

The rapid concentration of our military might in the southeast Asia area for a major show of force lends great credence to the United States determination. The crisis in Vietnam has by no means ended, and, as Secretary Rusk said, the situation remains very explosive, but it seems to be dwindling, thanks to the clarity and forcefulness of our response.

#### SOUTH

[From the Washington Post]

#### Gratitude for Johnson

President Johnson has earned the gratitude of the free world as well as of the Nation for his careful and effective handling of the Vietnam crisis. The paramount need was to show the North Vietnamese aggressors their self-defeating folly in ignoring an unequivocal American warning and again attacking the American Navy on the high seas.



To a world sensitive to the uses of power by an American President, the crisis—the first major foreign-policy crisis faced by President Johnson—has found him not wanting in toughness or in nuance.

[From the Star (Independent)]

*"Paper tiger" rebutted*

President Johnson's order to the 7th Fleet to bomb North Vietnamese PT boats and the facilities from which they operate is fully justified. What counteraction, if any, will come from the other side, remains to be seen. If they react forcibly, however it would be logical to expect some enlargement of the war against South Vietnam.

Our response to the PT-boat attacks should disabuse the Communist mind of the "paper tiger" fiction. But if the war in the South is stepped up we should not be content merely to hold our ground. Our purpose, as contrasted to Korea, should be to destroy the enemy and the sources from which his attacks are being mounted.

[From the Atlanta Constitution (Independent Democrat)]

*A test of will*

The Communists apparently have decided to test our resolve, in southeast Asia and even the Congo, during this presidential election year. Quick action by both political parties and approval by GOP Nominee GOLDWATER shows there is no partisanship when the Nation's security is at stake.

We seek an honorable solution without war and welcome U.N. help, but we cannot negotiate the wanton violation of solemn treaty agreements to which we are a party.

[From the Journal (Independent Democrat)]

*We have made it clear*

We have made our move in southeast Asia. We have replied with bombs on North Vietnam bases to deliberate attacks on our naval vessels in international waters. We have made it clear to the Reds in that part of the world that we have been pushed far enough.

Here we have done the sensible thing. It also happens to have been the honorable thing. Somewhere and some time a line had to be drawn. The Nation has been aware of this for a long time. It is a relief that this line finally has been drawn.

[From the Baltimore Sun (Independent Democrat)]

*There was no choice*

It is not an easy thing to loose even a small fraction of the military power available to the Commander in Chief, but in this case there was no choice. In striking back at a time of grave provocation, the United States hoped not to spread the fighting but to pinch it off before it got out of hand.

The key to peace in Asia is hidden in Communist China, in the course it may essay alone, or with the encouragement of Moscow. Whatever the dangers, the United States will face them with the courage possessed only by those who are both free and strong.

[From the Louisville Courier-Journal]

*War can be averted*

The convincing show of the national unity on the war threat in Asia, met with speed, wisdom, and restraint by President Johnson, strengthening the possibility that a major war with Red China can be averted.

It leaves no doubt in Communist minds anywhere that if war is what they want, war is what they will get—a certainty that should bring even Peiping's fanatics to their senses unless they remain irresponsibly addicted to the opiate that only a major war can head the Sino-Soviet rift.

*SOUTHWEST*

[From the Houston Post]

*Goldwater is quoted*

There can be no question of support for the President's action. This support was

aptly expressed by Senator BARRY GOLDWATER, with whom the President talked before telling the people what he planned to do.

Emphasizing his support of the President's action, the Republican presidential nominee said, "We cannot allow the American flag to be shot at anywhere on earth if we are to retain our respect and prestige."

Hopefully, the quick and decisive action by the United States will convince the world that we will carry out our commitments to all free people without seeking any wider war. Certainly the prompt support of Senator GOLDWATER should erase any doubts.

*MIDWEST*

[From the Chicago Sun-Times (Independent)]

Whether events in Vietnam develop into full-scale warfare involving the United States now depends on what the Communists do next.

Whatever their motive for the suicidal attacks on American ships in international waters, they and all the world have learned—once again—that the United States does not become weak when divided internally by a presidential election campaign.

[From the Chicago Tribune (Independent Republican)]

*Unity is foreseen*

Ambassador Adlai E. Stevenson's calm and lucid discussion before the United Nations yesterday of Communist torpedo attacks upon American warships off the coasts of North Vietnam provided the American people with an understanding of the crisis in southeast Asia which, until he spoke, had been sadly lacking.

President Johnson, in his address to the Nation Tuesday night and in his speech yesterday at Syracuse University, had asked unity in support of American firmness. He is more likely to get it now that Mr. Stevenson has stated the facts and explored the Communist motives.

[From the Milwaukee Journal (Independent)]

*Appeal for restraint*

It may be that the North Vietnamese, with the backing of Communist China, were testing the American will. If so, they have their answer.

There is some danger that this country may tend to overreact to North Vietnamese stings because of our political situation. President Johnson has been under attack for what opponents call a "no win" policy in southeast Asia. He has been unwisely urged to escalate the war.

Under such circumstances, a President can be handicapped in making vital decisions. President Johnson will need courage and patience and restraint to keep the Nation from the wider war that he—and all who realize what modern war is—wish to avoid.

[From the St. Louis Post-Dispatch (Independent Democrat)]

*The guilt is shared*

The two Communist naval attacks on units of the U.S. 7th Fleet, and the swift and devastating U.S. reply, need not and should not bring about an "escalation" of the struggle in Indochina.

This country plans no further belligerent action unless there is another attack; President Johnson and U.S. Ambassador Stevenson have made clear we want "no wider war."

It is true that if the Communists would abide by the Geneva political settlements peace and independence would be assured and military power could be withdrawn.

But the West is not guiltless in this respect, and there is not likely to be an end of the conflict short of a negotiated political settlement guaranteed by the big powers and, perhaps, supervised by the U.N.

[From the Cleveland Plain Dealer (Independent Democrat)]

*Warnings to Reds*

North Vietnam's acts of aggression against U.S. ships in the Tonkin Gulf have been given a fitting response.

President Johnson, speaking yesterday in Syracuse, has solemnly warned there will be "no immunity to reply" from further aggression.

The meaning of the President's words is clear. There is no excuse for Hanoi or Peiping to misunderstand them.

[From the Indianapolis Star (Independent)]

*The proper reaction*

President Johnson's decision to use full military action against Communist aggression in southeastern Asia is the proper reaction to the events of recent hours.

The attacks on U.S. naval craft in the Gulf of Tonkin appear to have been calculated provocations. To react in any way suggestive of fear or hesitation would simply invite more attacks. As long as we are involved in such a conflict, the only thing to do is try to win it.

*MOUNTAIN STATES*

[From the Denver Post (Independent)]

*Nixon's view backed*

We are inclined to agree with Richard Nixon that these attacks were set up by the Chinese Reds to test U.S. reactions during the election campaign.

The Communists probably expected the Nation to be so split that the President would be afraid to react decisively to such attacks. This phenomenon of our political parties' interrupting bitter partisan warfare to close ranks whenever there is an outside threat to the Nation has baffled Europeans and Asians for years. But it is a rock-hard fact of American life.

*PACIFIC*

[From the Los Angeles Times (Independent Republican)]

*Conflict grows deadlier*

Communists, by their attack on American vessels in international waters, have themselves escalated the hostilities—an escalation we must meet. Thus the struggle in southeast Asia inevitably will become deadlier. At least now the cause is clear and we know what we are doing and why we do it.

[From the Portland Oregonian (Independent Republican)]

*Old, familiar situation*

If the facts are as represented, the American response was justified, even necessary.

What now, of the Communist response? Red China has a defense treaty with North Vietnam. So has the Soviet Union.

There is the possibility that the PT-boat attacks were designed to trigger the certain American retaliation against North Vietnam to provoke and force China's entrance to the war in southeast Asia. With each side charging aggression, the old, familiar situation which has led to other big wars has been created.

[From the San Francisco Chronicle (Republican)]

*Answer to Peiping*

The answer has been given. In the words of President Johnson, it was an unmistakable "positive" answer, and Peiping now knows that the U.S. forces in Vietnam can and will strike back effectively if attacked.

The principle is incontrovertible, and the measures thus far employed under it were sound and no doubt inevitable. It is the hope of world peace that they were also effective.

[From the Seattle Times (Independent)]

*Affront to U.S. dignity*

No self-respecting nation could have permitted without retaliation the indignity of

a second armed attack on its vessels in the face of a protest over the first such attack—least of all that nation which bears the principal burden of restraining Communist aggressors in all parts of the world.

[From the Philadelphia Inquirer, Aug. 7, 1964]

#### AS THE TENSION CONTINUES

One inevitable consequence of momentous events in southeast Asia the past few days is the necessity for American foreign policy experts to reassess the entire situation in that part of the world.

Although the basic U.S. objective—to preserve freedom and repel Communist aggression—remains the same, there will need to be major revisions in the planning and execution of methods to achieve the goal.

The Communists should have no delusions now about the overwhelming superiority of American naval power in the Far East—but on land it is a different story. For this reason, the great peril is that the Reds will step up their offensive in the jungles of South Vietnam and Laos where American destroyers, aircraft carriers and jet planes can't help much.

Meanwhile, as fresh policy studies proceed, and the U.S. military buildup in the Far East is accelerated in preparation for any eventuality, it is important for Americans to remain united behind President Johnson in this crisis and to be wary of any wishful thinking that the danger has passed. The North Vietnam dragon is nursing humiliating wounds. "Saving face" is very important in that part of the world.

Russia, apparently, is not anxious to encourage North Vietnamese attacks against the United States, as indicated by the relatively mild nature of official Soviet words emanating from Moscow and the United Nations. Red China, of course, is another matter. Peiping is always unpredictable. Mao is always dangerous.

Under existing circumstances it was shocking to have unity in Congress rudely shattered by Senator Morse, of Oregon, a maverick Member of the President's own party, who charges that the trouble in southeast Asia "is as much the doing of the United States as it is the doing of North Vietnam." Mr. Morse ignores all the facts in the case—notably the prolonged Communist aggression against Laos and South Vietnam and the unprovoked Red attacks on U.S. warships on the high seas.

In contrast to the ill-advised outburst by Senator Morse was the prompt support given to President Johnson by Senator Goldwater in a spirit of bipartisan cooperation that is so essential in this grave time.

Facing up to all the new implications inherent in the radically altered situation in southeast Asia is a task that requires the best in all of us. This applies especially to those in positions of public responsibility who should dedicate themselves unstintingly to the task of doing whatever may need to be done to win the struggle for peace and freedom.

[From the New York Herald Tribune, Aug. 7, 1964]

#### AS OTHERS SEE THE TONKIN GULF

The Washington Post:

"President Johnson has earned the gratitude of the free world as well as of the Nation for his careful and effective handling of the Vietnam crisis. The paramount need was to show the North Vietnamese aggressors their self-defeating folly in ignoring an unequivocal American warning and again attacking the American Navy on the high seas. This Mr. Johnson did by means of a severe but measured response deftly fitted to the aggression: retaliation against the boats and bases used in the attack . . .

"Most immediately, the reprisal rendered obsolete the old terms of the debate on whether to carry the guerrilla war in South Vietnam back to the aggressors in the north.

"To a capital and a world sensitive to the uses of power by an American President, the crisis—the first major foreign-policy crisis faced by President Johnson—has found him not wanting in toughness or in nuance. But the crisis has also pointed up the office of the Presidency as the single center of control and responsibility for American power.

"Military measures were only a part of President Johnson's response. He coordinated them with the other constituencies and communities of which he is the leader. He asked and got from Senator Goldwater a promise of nonpartisanship. The Senator, like the patriot he is, instantly forsook politics and stood by his side."

Pittsburgh Post Gazette:

"In both his Tuesday announcement of the attack order and in his speech Wednesday at Syracuse University, the President stressed the limited nature of the American response to the gunboat attacks and the desire of the United States to avoid the tragedy of a wider war. Yet no one in Washington has any way of anticipating the thinking of officials in Peiping.

"In view of the serious danger to world peace from the broadened hostilities in southeast Asia, the United States has properly called for an emergency session of the United Nations Security Council to deal with the crisis. Hopefully, through the good offices of that agency and the good sense of responsible officials in various capitals and chancelleries, the ugly Vietnamese war can be kept from triggering an immeasurably more destructive wider conflict.

The Boston Globe:

"President Johnson, speaking at Syracuse University Wednesday, enunciated the proposition that 'aggression unchallenged is aggression unleashed.' This striking phrase reiterated a principle that has long lain at the heart of American foreign policy and at the core of every international crisis, however complex it has seemed.

"Peiping, with an unsolved food problem, would like an excuse to move into the 'rice bowl' of Indochina. It might hope by a mass attack to leave the United States only the alternative of giving way or fighting a major—perhaps an all-out—war. Success would give the Chinese an immense advantage in the competition with Russia for the leadership of world communism.

"This country has moved fast to dampen any such hopes."

Christian Science Monitor: "Premier Nguyen Khanh of South Vietnam makes sense.

"He points out that President Johnson warned the Asian Communists against the 'very dangerous game' they have been playing in southeast Asia. And that the Communist answer has now come. It is intensified war—both in South Vietnam and in torpedo boat attacks on an American destroyer off the North Vietnam coast.

"The immediate response from President Johnson was being announced in Washington even as the South Vietnamese Premier spoke in Saigon. It was the obvious response. The Navy was instructed to destroy any such attacker in future.

"The United States is unavoidably going in further. The only questions are when and how far."

The Times, London: "The next step is left to the Communists, and in attempting to assess what it may be there are three guiding thoughts. The Americans, having made their counteraction, have issued no threats or ultimatums. The Communists are not forced against a wall. Secondly, the American reinforcements are enough to warn the Communists that any extension of the war would

be highly costly and dangerous to them, as well as to others. And the third point: the Americans have, very rightly, put the whole matter to the Security Council."

The Guardian, Manchester: "The war will be won or lost in the South; and it would continue there if every military base in the North were pulverized. In fact, any extension of the war is likely to make the Vietcong more determined."

Frankfurter Allgemeine Zeitung: "The American revenge came unexpectedly fast and sharply . . . but still the retaliation of Washington did not get out of control. That is important."

Aurore, Paris: "In the Gulf of Tonkin it is Mao who is maneuvering with his docile satellite of North Vietnam and it is Khrushchev who is the target. How will Khrushchev get out of it?"

Vienna Volksblatt: "If Johnson rattles his saber a little it is mainly to show the electorate that he is not the defeatist and friend of Communists that Goldwater has made him out to be."

Mainichi Shimbun, Tokyo: "The United Nations is urged to act promptly in order to prevent the present conflict from developing into a full-fledged war."

[From the New York Herald Tribune, Aug. 7, 1964]

#### "BE IT RESOLVED—"

As Commander in Chief, President Johnson could, and did, order retaliatory action against North Vietnam for its unprovoked attacks upon American ships. That was a logical extension of the right of self-defense; speed was of the essence. But the continuing crisis in southeast Asia may call for other, more elaborate measures. It is sound policy to provide congressional indorsement in advance for such steps, both as an expression of the role of the legislature in the American system of government and, at least equally important, as a demonstration of American determination.

This dual role will be performed by the joint resolution to be voted today by both the Senate and House, approving the President's action and empowering him to "take all necessary steps including the use of armed force," to aid America's allies, to repel attacks upon U.S. forces, and prevent further aggression.

Red China has made it very clear that it considers North Vietnam's cause its own. It is very far from clear just what Peiping intends to do about it. But in the light of past history (in Korea, on the Indian border, along the Formosa Strait) it would be folly to brush the Red Chinese menaces aside. It would also be folly to assume that if action does not immediately follow on the threat the latter is empty.

Red China has not always made good its boasts. But it has hit hard in almost every case. It brags now that Indochina presents a far better field of military action for its teeming divisions than the Korean Peninsula, while no body of water separates China from Indochina as was the case with Quemoy, Matsu, and Formosa.

The United States and its allies, then, would do well to regard the threat from Peiping as a time bomb, which will only go off when the Red Chinese want it to. The best method of preventing an explosion is to impress, as strongly as possible, upon Mao Tse-tung and his band, that this country is prepared, physically and morally, to meet any thrust.

The joint resolution gives the President full backing for any preparations that the Armed Forces may require in the danger area. It does so publicly and unequivocally. At the same time, it gives voice to the American will. Indeed, it might be said that the most significant part of the measure is the formal preamble, which in this context is full of meaning: "Now, therefore, be it resolved."



Mr. MORSE. Mr. President, I yield the remainder of my time to the great statesman from Alaska (Mr. GRUENING).

Mr. GRUENING. Mr. President, yesterday, I made my views on the pending resolution known on the floor of the Senate, and they appear in the CONGRESSIONAL RECORD. There is no need to add to them, except to reaffirm them. It is a matter of deep regret for me that I cannot, on this major issue, support the resolution drafted by the Foreign Relations and Armed Services Committees in response to a message from the President to the Congress requesting such support.

I believe that President Johnson in his more than 8 months in office has shown himself to be a great President. I find myself in warm accord with most of his actions and declarations of policy. I intend to campaign for him after the adjournment of Congress.

Regrettably, I find myself in disagreement with his southeast Asian policy, and have repeatedly voiced my disagreement in the Chamber. The serious events of the past few days, the attack by North Vietnamese vessels on American warships and our reprisal, strikes me as the inevitable and foreseeable concomitant and consequence of U.S. unilateral military aggressive policy in southeast Asia.

I consider the action of the North Vietnamese in attacking our vessels as utterly stupid and outrageous, and our prompt retaliation justifiable and proper. But this is precisely the kind of episode that our unilateral and aggressive policy in southeast Asia would inevitably bring forth. That incident has in turn brought about the President's message and the responding resolution by Congress.

If this resolution merely affirmed its approval of the President's declared policy and action to respond to attacks on our fleet when in international waters, as he has responded, that would be one thing. I would gladly approve of such a resolution, as I approve of his action. But this resolution now before us goes far beyond that. It not only endorses all our Government has done to date in southeast Asia, but also gives the President a blank check, not merely to do whatever he likes in South Vietnam, but, to quote the text of the resolution:

To take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

That is, in effect, a pre-dated declaration of war, if and when the Executive chooses, and war not merely in South Vietnam but in all southeast Asia.

Is that what the Congress intends?

That is what the Congress is doing.

We now are about to authorize the President if he sees fit to move our Armed Forces—that is, the Army, Air Force, Navy, and Marine Corps—not only into South Vietnam, but also into North Vietnam, Laos, Cambodia, Thailand, and of course the authorization includes all the rest of the SEATO nations.

That means sending our American boys into combat in a war in which we

have no business, which is not our war, into which we have been misguidedly drawn, which is steadily being escalated. This resolution is a further authorization for escalation unlimited.

I am opposed to sacrificing a single American boy in this venture. We have lost far too many already.

I have repeatedly expressed my view which I now reiterate. That we should have been waging peace with the same energy and fervor with which we have been waging war.

I have asked, and ask again now, that instead of multiplying our Armed Forces and the resulting casualties, we request a cease-fire and seek, instead of hostile military action, a peacekeeping United Nations police force. I should be happy to see Americans as a part of that peacekeeping police force.

This procedure, as I have pointed out, has been successfully used on the Israel-Egypt border, and in the Congo. Why not try it in South Vietnam?

My time being short, I can only call attention to my earlier statement on this resolution and repeat that I cannot in good conscience support the pending resolution, which opens the door to unlimited unilateral war by our country in an area and for a cause which pose no threat to our national security, and in which no more American lives should be sacrificed.

Mr. MORSE. Mr. President, how much time remains to me?

The PRESIDING OFFICER. The Senator from Oregon has 8 minutes remaining.

Mr. MORSE. Mr. President, I shall not use all of that time. I wish only to correct a misapprehension that I was not able to cover in my speech earlier, but I wish to add one further point which I overlooked.

I was commenting on a Washington Post editorial which cited the Cuban resolution as being comparable to the pending resolution.

Last night, I pointed out that they are quite different resolutions.

I ask Senators to turn to page 17845 of the CONGRESSIONAL RECORD of August 6, where I inserted the Cuban resolution. It will be recalled that in discussion of the Cuban resolution the point was made, both in committee and on the floor of the Senate, that the resolution differed from the Middle East resolution and the Formosa resolution, in that it made no reference whatever to authorizing any power to the President of the United States. It was because of that that we were able to get support for the resolution. At the time of the Cuban resolution if there had been an attempt to give war making authority to the President, the resolution would not have received the votes it did. Some Senators announced that they would not support the resolution with such a clause in it. If we examine the resolution, we see that all it does is to set out the opinion of Congress as to what American foreign policy should be, vis-a-vis Cuba.

That is quite a different thing from giving the President any authority for a predated declaration of war in respect to Cuba, as this resolution does in respect to Asiatic problems.

I believe that history will record that we have made a great mistake in subverting and circumventing the Constitution of the United States, article I, section 8, thereof by means of this resolution.

As I argued earlier today at some length, we are in effect giving the President of the United States warmaking powers in the absence of a declaration of war.

I believe that to be a historic mistake. I believe that within the next century, future generations will look with dismay and great disappointment upon a Congress which is now about to make such a historic mistake.

Our constitutional rights are no better than the preservation of our procedural guarantees under the Constitution.

We are seeking by indirection to circumvent article I, section 8 of the Constitution. Senators know as well as I do that we cannot obtain a test before the U.S. Supreme Court of that attempt to grant warmaking powers to a President by a resolution because under this set of facts we cannot halt the President of the United States before the Supreme Court for a determination of such a question as to the unconstitutionality of the pending resolution.

I am sorry, but I believe that Congress is not protecting the procedural, constitutional rights of the American people, under article I, section 8 of the Constitution.

If the President of the United States, after Pearl Harbor, could exercise his inherent power in defense of this country, as every President has the right to do and then come before the Congress and ask for a declaration of war as Roosevelt did, then the pending regulation is not necessary. The President can come to Congress and ask for a declaration of war, as was done against Japan at that time. The President of the United States can now do likewise, if the time ever comes when the President must ask for a declaration of war against a country in Asia or anywhere else.

For the reasons I have set forth, I shall vote against the resolution.

Mr. President, I yield back the remainder of my time.

Mr. MANSFIELD. Mr. President, the senior Senator from Pennsylvania (Mr. CLARK) is necessarily absent today but has asked that he be recorded in favor of the resolution supporting the President's policies in Vietnam. The Senator would state, if he were here, that the United States was the victim of unnecessary provocation and that the United States was compelled to respond and, he would add, that it is essential for the country to unite behind the President at this time of crisis.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House Joint Resolution 1145, as a substitute for the Senate joint resolution.

The PRESIDING OFFICER. The Chair lays before the Senate a joint resolution coming over from the House, which will be stated by title.

The joint resolution (H.J. Res. 1145) was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of the House joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution was ordered to a third reading, and was read the third time.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. FULBRIGHT. Mr. President, I ask for the yeas and nays on the House joint resolution.

The yeas and nays were ordered.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from South Carolina [Mr. JOHNSTON] and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON] and the Senator from Massachusetts [Mr. KENNEDY] are absent because of illness.

I further announce that the Senator from Nevada [Mr. CANNON] the Senator from Pennsylvania [Mr. CLARK], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. CANNON], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. SYMINGTON], the Senator from Georgia [Mr. TALMADGE], the Senator from Texas [Mr. YARBOROUGH] and the Senator from Pennsylvania [Mr. CLARK] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Pennsylvania [Mr. SCOTT] is necessarily absent and, if present and voting, would vote "yea."

The result was announced—yeas 88, nays 2, as follows:

[No. 520 Leg.]

YEAS—88

Alben	Bennett	Byrd, Va.
Allott	Bible	Byrd, W. Va.
Bartlett	Boggs	Carlson
Bath	Brewster	Case
Beall	Burdick	Church

Cooper	Jordan, N.C.	Pastors
Cotton	Jordan, Idaho	Pearson
Curtis	Keating	Pell
Dirksen	Kuchel	Prouty
Dodd	Lausche	Proxmire
Dominick	Long, Mo.	Randolph
Douglas	Long, La.	Ribicoff
Eastland	Magnuson	Robertson
Ellender	Mansfield	Russell
Ervin	McCarthy	Sallinger
Fong	McClellan	Saltonstall
Fulbright	McGee	Simpson
Goldwater	McGovern	Smathers
Gore	McIntyre	Smith
Hart	McNamara	Sparkman
Hartke	Metchem	Stennis
Hayden	Metcalf	Thurmond
Hickenlooper	Miller	Tower
Hill	Monroney	Walters
Holland	Morton	Williams, N.J.
Hruska	Moss	Williams, Del.
Humphrey	Mundt	Young, N. Dak.
Inouye	Muskie	Young, Ohio
Jackson	Nelson	
Javits	Neuberger	

NAYS—2

Gruening

Morse

NOT VOTING—10

Anderson	Johnston	Talmadge
Cannon	Kennedy	Yarborough
Clark	Scott	
Edmondson	Symington	

So the joint resolution (H.J. Res. 1145) was passed as follows:

Whereas naval units of the Communist regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace; and

Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom; and

Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military or political ambitions in that area, but desires only that these peoples should be left in peace to work out their own destinies in their own way: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

SEC. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

SEC. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress.

The preamble was agreed to.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that Senate Joint Resolution 189 be indefinitely postponed.

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

## LEASING OF REAL PROPERTY BY POSTMASTER GENERAL

Mr. McNAMARA. Mr. President, I ask the Chair to lay before the Senate a message from the House on H.R. 9653.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 9653) to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McNAMARA. I move that the Senate insist upon its amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Michigan.

The motion was agreed to.

## TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1057) to promote the cause of criminal justice by providing for the representation of defendants who are financially unable to obtain an adequate defense in criminal cases in the courts of the United States.

## EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

### AMENDMENT OF FEDERAL CROP INSURANCE ACT

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Federal Crop Insurance Act, as amended (with an accompanying paper); to the Committee on Agriculture and Forestry.

### REPORT ON MILITARY CONSTRUCTION, AIR NATIONAL GUARD

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, a report on military construction, Air National Guard (with an accompanying report); to the Committee on Armed Services.

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

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of chromium metal, acid grade fluorspar, and silicon carbide from the supplemental stockpile (with an accompanying paper); to the Committee on Armed Services.

### REPORT OF DIRECTORS OF FEDERAL PRISON INDUSTRIES, INC.

A letter from the Commissioner, Federal Prison Industries, Inc., Department of Justice, Washington, D.C., transmitting, pursu-