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subsidy from the Department of Housing and Urban Development to compensate them for the difference between their yield on the mortgage and their current average borrowing cost. The bill authorizes new contract authority of \$105 million a year over a 3-year period to finance these subsidy payments. If their current cost of borrowing declines, the subsidy would correspondingly decline. Thus, we have enacted a flexible subsidy formula which is tailored to current credit market conditions.

Mr. President, this legislation was carefully worked out with the administration, and the Department of Housing and Urban Development. It was fully supported by the administration, and I am hopeful that the necessary funds can be appropriated at the earliest possible date.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama to adopt the conference report.

The motion was agreed to.

AUTHORIZATION FOR THE SECRETARY OF THE SENATE TO RECEIVE MESSAGES FROM THE PRESIDENT DURING ADJOURNMENT OF THE SENATE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the adjournment of the Senate until 11 o'clock on Monday morning next, the Secretary of the Senate be authorized to receive messages from the President of the United States.

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

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER FOR RECOGNITION OF SENATOR SPONG FOLLOWING THE REMARKS OF SENATOR TALMADGE ON MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday next, immediately following the remarks of the able Senator from Georgia (Mr. TALMADGE), the able Senator from Virginia (Mr. SPONG) be recognized for not to exceed 30 minutes.

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

ACTION BY NIXON ADMINISTRATION REGARDING PRIVATE AND PUBLIC SCHOOLS

Mr. THURMOND. Mr. President, when I was a Democrat, I did not hesitate to condemn any actions of the Democratic administration which I felt were not in the best interests of the South and of the Nation. As a Republican, my policy is the same: I shall not hesitate to condemn the actions of a Republican administra-

tion which are not in the best interests of the people of the South and of the United States as a whole.

In the past week, the Nixon administration has taken two actions which are wholly unnecessary, and which cast grave doubt upon the Nixon administration's commitment to treat all sections of the country with an equal hand. The people of the South are a people of great forbearance, and have great respect for the law. They have abided by court decisions with which they do not agree for the sake of law and order, even though such decisions have been destructive of social custom and traditions. However, they are not willing to accept arbitrary and discriminatory actions by the executive branch, calculated to appease the anti-South elements of the Nation.

In this category, I place the action of the Internal Revenue Service in threatening the tax exemption of private schools. In the same category, I place the proposed invasion by 100 carpetbagging Justice Department lawyers for the purpose of assuring forced integration of the public schools. These actions are arbitrary and discriminatory. They are not required by law or the Constitution, nor by the edicts of any court. These actions were taken on the initiative of the administration itself.

Mr. President, I condemn these actions; I strongly condemn them; without end, I condemn them. They are wrong as social policy, and they are wrong as law. This is the sort of program which we would expect to get from a Democratic administration. They are a breach of faith with the people of the South, who are making many sacrifices to comply with the law. They indicate a distrust of the people of the South. No school district in my State has refused to obey the law, even in its latest twisted interpretation. The overwhelming majority of the school districts in South Carolina have filed desegregation plans that have been accepted by HEW. Why is it necessary to break faith with their good intentions? Why is it necessary to indict them before the act and to presume their misconduct?

Mr. President, the situation was summed up by David Lawrence in his recent column commenting on the IRS action. Mr. Lawrence says:

Government by law and the Constitution or government by political expediency—that's the choice which the Nixon Administration faced, and it took the latter course when it ordered white private schools to open their doors to all, regardless of race, or lose their tax exemptions.

These are strong words, but they are justified by the situation. As Mr. Lawrence points out, other forms of discrimination are permitted under the IRS regulations—discrimination by religion for example. Nor is the tax status of the NAACP threatened. However, the rights of those citizens who wish to achieve quality education through separate educational systems are threatened.

Mr. President, this IRS ruling is vindictive. It is no secret that a major reason for the development of the private school phenomenon throughout the South is that many, if not most, of the white people wish to have the freedom of choice to send their children to school

with those of their own cultural group. It is simply the natural and wholesome desire to perpetuate cherished traditions and customs, since, whenever people of either race have a choice, they choose to educate their children among their own kind. This phenomenon is not confined to the South. It is the same throughout the country. The statistics are well known. Chicago has achieved only 3.2 percent desegregation, as defined by HEW. Gary, Ind., which has a Negro mayor, has achieved only 3.1 percent desegregation. St. Louis has only 7.1 percent desegregation. New York City has only 19.7 percent desegregation.

People throughout this Nation make the choice generally in two ways. They either move to a white neighborhood, or they send their children to private schools. When people move, we have the phenomenon of resegregation, such as has taken place in Charleston, Atlanta, Richmond, and Washington, D.C., not to speak of nearly every northern city. In Washington, D.C., which was to be the model for the Nation, the public school system is now 5.8 percent white and 94.2 percent black. But in the smaller towns of the South, particularly because whites and blacks have always been good neighbors, it is not possible to move in order to find a white school. Instead, the whites leave the public school system if possible and establish a private school.

The IRS decision will be an additional burden upon those who are trying to maintain their freedom of choice. It will not defeat them, but it will make the task harder. What is most ominous is that it sets a precedent for depriving private schools of their private status. When a vindictive policy decision is once made, it sets the pattern for other decisions designed to punish those who do not accept certain political theories.

But there is a far more serious matter involved. This decision breaks faith with the people of the South. As recently as February 19, 1970, the President assured me positively that he supported the continuance of the tax-exempt status of private schools. The people of the South were counting upon the President's word. I can only conclude that a group of liberal advisers around the President are misleading him, and that their advice will bring disruption to this Nation.

I am warning the Nixon administration—I repeat, I am warning the Nixon administration today—that the people of the South and the people of the Nation will not support such unreasonable policies. I remind the Chief Executive that the Presidency is an elective office, and that what the people give, the people can also take away.

The private schools are an important resource for freedom of choice today. The people must not be deprived of this alternative. The social structure of this Nation must not be an object of Federal policy, if freedom in our everyday actions is to be preserved. The only fair requirement under law is that everyone be treated the same in Government actions. If private acts come under the same rigid regulation, then the Federal Government will be intruding upon every step we take and every breath we breathe.

The South does not like forced integration any more than the North. It is well

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known that the former New York Commissioner of Education, Dr. James E. Allen was a strong proponent of forced integration in the face of the parents' wishes. Dr. Allen was rebuffed by the State Legislature of New York, one of the most liberal legislatures in the country. The New York antibusing law provided the essence of freedom of choice. It said that no one could prevent a child from going to a given school nor can any one force a child to go to a given school.

Thus blocked, Dr. Allen quit his post and became U.S. Commissioner of Education. To the great relief of most sensible people he was fired a few weeks ago, but his spirit apparently lingers on. We now have Allenism without Allen.

If the administration does not use reason and patience, it will destroy both the public and private school systems. I have always supported the public school system, and I shall continue to do so. In the same way, I will uphold the private school system, as a significant contribution to American freedom. As Mr. Lawrence said:

If these privileges can arbitrarily be withdrawn at the whim of any administration, it can mean that individual rights can suddenly be curtailed by the government for almost any reason by imposing a penalty through income tax regulation.

I have been watching the administration since it came into power a year and a half ago. I have noticed that since the President has been in office he has become surrounded by liberal and ultraliberal advisers. The advice that these people give is not in the best interest of either President Nixon or the country. The philosophy which these people espouse and which they give to the President is a sectional philosophy—the philosophy of the Northeast. It is not the philosophy of the South or of the West or of the Midwest. Those who support the philosophy of the Northeast did not support the President in 1968, and they will not support him in 1972.

If President Nixon is to be successful in 1972, he must listen to the voice of the great majority. He must take the pulse of America's broad heartland. He must keep faith with those who put their trust in him.

When the President is right, I shall say he is right; when he is wrong, I shall not hesitate to say so. My desire is to help the administration in every proper way, but my first obligation is to the people of my State, and of the South, and of the Nation. I would be less than a friend if I did not point out the error of the President's actions. I trust that he will understand my statements. We have worked together in the past for the good of the country, and I hope to be able to do so in the future. But the South cannot and will not stand for the unjustified and arbitrary invasion of the rights guaranteed to all people under the Constitution.

RELEASE OF REPORT ON MILITARY SPENDING BY "MEMBERS OF CONGRESS FOR PEACE THROUGH LAW"

Mr. THURMOND. Mr. President, the

Members of Congress for Peace Through Law" group have made a public release of their report on military spending. I have been advised by the Department of Defense that this report contains highly classified information.

Mr. President, this is shocking information. In my judgment, it represents irresponsibility. This report is another effort to condemn the Defense Department at a risk to our national security. Handing the Soviets our military secrets on a silver platter is an inexcusable act against our national interest.

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REPORT VIOLATED U.S. SECURITY, PENTAGON SAYS

(By Orr Kelly)

The Pentagon accused a congressional group today of violating national security in a report on military spending.

The report, prepared by the Members of

Congress for Peace through Law, was made public at a press conference yesterday by Sen. Mark Hatfield, R-Ore.

Pentagon press spokesman Jerry W. Friedheim said the Pentagon had obtained a working draft of the report more than a week ago. On July 8, he said, Richard G. Capen Jr., assistant to the defense secretary, wrote to Hatfield suggesting the report be submitted for security review.

"I have been advised that a preliminary review of a draft document prepared by your committee indicates that there is classified information included," Capen told Hatfield.

HATFIELD STATEMENT

Hatfield was not immediately available for comment today, but at yesterday's press conference he said all the material in the report had come from public, non-classified sources.

Wes Michaelson, an assistant to Hatfield, repeated today that the material, submitted by a number of congressional offices, was all from unclassified sources.

Capen's letter did not arrive until the final report was being printed, he said.

Hatfield replied to the letter Tuesday evening or yesterday morning, he said. Friedheim said the reply from Hatfield had not been received this morning.

Friedheim refused to pinpoint the classified information in the report and he would not say what classification it bore, although he implied that it was "secret" or "top secret."

The information, he said, had to do with the "characteristics of weapons."

"While many figures in the report were not sufficiently accurate, there were some that were sufficiently accurate that if the report had been submitted for review we would have advised them to change those figures," Friedheim said.

Friedheim said he was not aware of any plans for legal action against any of those involved in preparing or publishing the report. To do so, he said, would draw attention to the material the Pentagon wished had not been published.

The report is probably the most ambitious effort ever undertaken by a congressional group to analyze and comment on the military spending and the defense establishment, aside from the annual reviews by the defense and appropriations committees.

Hatfield is chairman of the group's military spending committee. Also on the committee are 10 other senators and 16 representatives.

The 150-page report called for cuts of \$4.4 to \$5.4 billion in the Pentagon's budget request for 1971.

OFFICE OF THE SECRETARY OF DEFENSE,
Washington, D.C., July 8, 1970.

HON. MARK O. HATFIELD,
Chairman, Committee on Military Spending,
Members of Congress for Peace Through
Law, Washington, D.C.

DEAR SENATOR HATFIELD: A copy of the draft Report on Military Spending, as compiled by the Members of Congress for Peace through Law (Committee on Military Spending) has been brought to my attention.

I can assure you that the Department of Defense welcomes thorough and constructive understanding of important issues affecting national security.

Assuming that this report will be published and distributed to Members of Congress, as well as other interested citizens, I would like to offer the assistance of the Defense Department in providing a security review of those sections included in the draft copy.

I have been advised that a preliminary review of a draft document prepared by your Committee indicates that there is classified information included.

I will await your instructions as to how the Peace through Law Committee wishes to

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proceed prior to publication and dissemination of its final report.

Sincerely,

RICHARD G. CAPEN, Jr.,
Assistant to the Secretary for
Legislative Affairs.

Mr. THURMOND. Mr. President, I notified the distinguished Senator from Oregon that I intended to make these remarks so that he could be present if he desired to do so. I see the Senator is in the Chamber now and possibly he would care to respond.

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

Mr. THURMOND. I am pleased to yield to the distinguished Senator from Oregon.

Mr. HATFIELD. Mr. President, I am grateful to the Senator from South Carolina for giving me notification that he planned to make comments relating to the report on military spending issued by Members of Congress for Peace Through Law.

I say to the distinguished Senator from South Carolina that even though it is within his rights to make these observations, I certainly feel that they are not well-founded observations and I would like to ask if he would yield first for this particular question.

Mr. THURMOND. I yield.

Mr. HATFIELD. First of all, has the Senator read the report?

Mr. THURMOND. I have not read the report but I have been told what the report contains; and the Department of Defense is most disturbed over the report, especially in view of the fact that they wrote the Senator a letter and told the Senator it contained classified information, but in spite of their request to the Senator that they be allowed to work with the Senator and go through this report and remove those classified portions, the Senator did not agree to do so.

Mr. HATFIELD. Mr. President, will the Senator yield further?

Mr. THURMOND. I am happy to yield to the Senator from Oregon.

Mr. HATFIELD. Did either the Defense Department or a staff member of the Committee on Armed Services, on which the Senator from South Carolina serves with great distinction, list for the Senator an item or identify the classified material in this particular report?

Mr. THURMOND. I have not gone over in detail the classified information, but I am told it contains a great deal of classified information, and they were very anxious that that be removed before this report was made public.

Mr. HATFIELD. Do I understand correctly that the Senator was not given any identification or listing of any classified information as to the exact specifics?

Mr. THURMOND. The Defense Department has gone through this report and they say it contains a great deal of classified information. They are experts in this field; they have jurisdiction in this field; and I accept their statement.

Mr. HATFIELD. I see. So the Senator does not have a list of such classification violations, as charged by the Pentagon.

Mr. THURMOND. I do not have that at the moment.

Mr. HATFIELD. Will the Senator yield further for a question?

Mr. THURMOND. I yield.

Mr. HATFIELD. If this report, which I hold in my hand, could be shown to the Senator page by page and item by item to be information from other publications and sources available to the public, such as the New York Times, trade journals and professional journals, would the Senator from South Carolina consider that a violation of classification?

Mr. THURMOND. I would consider it a violation of the classification law if the Senator was put on notice, as the Senator from Oregon was put on notice, about the report, which he formulated I understand, that was to be disseminated and he went ahead and disseminated it anyway.

Mr. HATFIELD. I do not think the Senator answered the question. Let me restate it more clearly. If the Senator could be shown that the information in this report has appeared in public in some way or another, whether it be newspapers, or trade publications, or professional journals, or what, and that, therefore, the general public had access to everything in this report and every evaluation in this report, would he consider that a violation of the classification system?

Mr. THURMOND. I think it is a violation of the classified information law when the Senator or others are put on notice that it is classified information; but even if it were not a violation, if the Department of Defense notified a Member of the Congress of the United States that a report that some outside committee was about to release contained information which would be detrimental to our country, I would be amazed that such a committee would go ahead and print that information anyway.

Mr. HATFIELD. I would certainly agree with the Senator 100 percent. There was no such information given to any member of this committee that we had information that, if published, would be detrimental to the United States.

Mr. President, I ask unanimous consent that the letter I received from Mr. Richard G. Capen, Jr., Assistant to the Secretary for Legislative Affairs, and my answer to that letter be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

OFFICE OF THE
SECRETARY OF DEFENSE,
Washington, D.C., July 8, 1970.

HON. MARK O. HATFIELD,
Chairman, Committee on Military Spending,
Members of Congress for Peace Through
Law, Washington, D.C.

DEAR SENATOR HATFIELD: A copy of the draft Report on Military Spending, as compiled by the Members of Congress for Peace Through Law (Committee on Military Spending) has been brought to my attention.

I can assure you that the Department of Defense welcomes thorough and constructive understanding of important issues affecting national security.

Assuming that this report will be published and distributed to Members of Congress, as well as other interested citizens, I would like to offer the assistance of the Defense Department in providing a security

review of those sections included in the draft copy.

I have been advised that a preliminary review of a draft document prepared by your Committee indicates that there is classified information included.

I will await your instructions as to how the Peace Through Law Committee wishes to proceed prior to publication and dissemination of its final report.

Sincerely,

RICHARD G. CAPEN, Jr.,
Assistant to the Secretary for
Legislative Affairs.

U.S. SENATE,

Washington, D.C., July 15, 1970.

HON. RICHARD G. CAPEN, Jr.,
Assistant to the Secretary for Legislative Affairs,
Office of the Secretary of Defense,
Washington, D.C.

DEAR MR. CAPEN: I have received your letter of July 8th, offering the assistance of the Department of Defense in reviewing the 1970 Military Spending Report.

The Draft to which you refer was a working copy distributed only to the participating offices. Significant modifications were made in this working Draft and the final version has been printed. It will be released on Wednesday, July 15.

Let me assure you, however, that at no time was classified information used during the research and production of this report. As you may have noted, some sections are footnoted for documentation and in all other cases, citations can be supplied from unclassified sources such as the press, Congressional hearings, trade journals, and various magazines.

I quite agree with you that a thorough and constructive understanding of national security issues is in the best interest of the nation. The 1970 Military Spending Report certainly contributes to this discourse.

Sincerely,

MARK O. HATFIELD,
U.S. Senator.

Mr. THURMOND. Mr. President, I might say for the Senator's information that that was the letter I just placed in the RECORD.

Mr. HATFIELD. I would like to have my answer printed in the RECORD also.

Mr. President, I ask unanimous consent to have printed in the RECORD from the Evening Star of Friday, July 17, 1970, an article which would be a response to the one the Senator from South Carolina placed in the RECORD a few moments ago.

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

HATFIELD DENIES SECRET DATA USE

Sen. Mark O. Hatfield, R-Ore., staunchly denied today that any part of a congressional report on military spending was based on secret information vital to the national security.

Accusing the Pentagon of "irrationality," Hatfield said a Defense spokesman's contention yesterday that the report contained secret material indicated the department had no realistic defense against growing congressional demands for spending reductions.

Hatfield heads an informal alliance of congressional defense critics which issued a 150-page report Wednesday recommending cutbacks in 14 major weapons systems.

Jerry W. Friedheim, a public relations official for the Defense Department, said some of the information in the report was classified "above confidential"—meaning secret or top secret.

But Hatfield and others who worked on the report said every line was drawn from newspapers, trade journals, congressional hearings

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and other publications and sources in the public domain.

The problem, he said, was that the Pentagon regularly keeps the "secret" stamp on information even after it appears in public print.

The Pentagon's quarrel apparently was with the report's disclosure of yields for the Sprint and Spartan antiballistic missiles—components of the controversial Safeguard ABM system.

A spokesman for Hatfield said this information came from public documents but he could not immediately identify them.

Friedheim said Richard G. Capen Jr., assistant secretary for legislative affairs, had sent Hatfield a letter July 8 asking that the report be submitted to the Pentagon for deletion of classified material. He said Hatfield never replied to the letter.

Mr. HATFIELD. Mr. President, for the benefit of the Senator from South Carolina I would like to give an example of the type of thing we have at hand. I know the Senator is very sincere in his feelings and his expressions, but I think he is sincerely wrong. I think we have to consider what we are dealing with in the entire classification system.

First of all, let me make clear I have asked the Department of Defense for a specification of the items they claim in this report are violating the classification system. I have not received any reply to my request, and I have asked not once but twice for an itemized listing. They say it is a violation of the classification but they have not answered. However, they have seen fit to call a public press conference and make this charge through a press conference.

If the security of this country were really in jeopardy I suggest they would have had a person on my doorstep pretty fast because, let me also indicate to the Senator, they had obtained a working copy of this report very early, and this working copy was published only for the staff people on June 11.

When one considers the fact that they had a working copy at least 2 to 3 weeks, I think it is very peculiar that they were not on my doorstep indicating to me some concern if we were violating security.

Second, let me point out that they have refused to give me a list of specifications, and the only thing I can find out is through press statements and press publications. Let me quote:

The Pentagon's quarrel apparently was with the report's disclosure of yields for the Sprint and Spartan antiballistic missiles—components of the controversial Safeguard ABM system.

All right. We went back to our staff work. Let me say for the record that these other matters that are alluded to as a concern of the Pentagon one could have read about on May 4, 1969, in the New York Times which stated that the Sprint warhead has about one-tenth the force of the Hiroshima bomb. The force of the Hiroshima damage was about 20 kilotons, and therefore the Sprint missile's is about 2 kilotons. That is the report, which one could have read about in the CONGRESSIONAL RECORD, also, because that article was placed in the CONGRESSIONAL RECORD by Senator TYDINGS, of Maryland, on May 13. Or one could

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have read about the same subject in a bulletin of the Atomic Science Bulletin in June 1970 by Ralph Lapp, page 106, which gives the yield of the Spartan warheads. Or one could have read about it in the speech by Mr. Ralph Lapp given to the American Physical Society, titled, "ABM and MIRV," on April 29, 1970.

All I am saying is that in three earlier specific publications and in the CONGRESSIONAL RECORD are the very facts about those points as far as we can determine, where the objections lie.

I think it is quite well known that the Pentagon has maintained the classification of "secret" even after it has appeared in publications around the country. I believe, therefore, we ought to review the classification technique or the application of the classification system.

I would like to add, further, that with respect to every person who worked on this report, on each item and weapons system, the ones who had access to classified material, because of security clearance, can list the reports they used for their work, which all came from unclassified sources.

In other words, I am saying simply this: Each member of the staff knew exactly where he would get the information, and he can cite it by chapter and verse, page by page in this report, and none of it was under classification.

I think the point should be made clear that our committee had no intention of violating classification. I think the Senator from South Carolina knows me well enough to know that I would not be a party to putting my country under jeopardy or putting my country under the gun, so to speak, by violating classification. It is almost impugning the integrity of the Senator from Oregon to even imply that, somehow, we have put our country in grave danger by the publication of this report. All I am saying is I can cite, chapter and verse, page by page, where every one of these items was published in some kind of publication or source open to the public and not classified.

I would further say this, because this might have some political implication rather than military implication—not by the Senator from South Carolina, but by the Pentagon. I feel they are complimenting this report, because this report has raised sensitive and important issues, and therefore they have been trying, by political tactics, to demean or detract from that report. So I wonder if it is military security that is being watched, or perhaps political security.

This report does not attempt to downgrade the military. It is not an attack upon the Pentagon. If one would read and study the report, he would know we have several specific proposals that offer, suggest, and recommend improvement and strengthening of our military weapons systems. We ask for continuation of the Poseidon program, as long as there is no SALT agreement. We ask for continued research on ABM. We ask for increases in this whole base of technology, science, and education, which is the foundation of our future security. We

ask for a refiguring of the B-52's. We urge full expenditure for the development of the ULMS program. We ask for a better design for the F-15. We ask for continued extensive research on antisubmarine warfare, urging that systems be deployed when they have been proven to be effective.

This is not a report against the Pentagon. It is an effort to try to show some balance to justify the expenditures of the Pentagon.

Let me close by saying that perhaps this is the best way to get a focus on this report, by what the Senator from South Carolina has done today, by asking these questions, so that we can clarify and explain, but perhaps more important, draw attention to important recommendations in this report.

Let me say again that no violation was intended and no violation could have taken place, because of the fact that we secured all of this information from public materials and publications that are open to the general public.

Mr. THURMOND. Mr. President, in response to the Senator, I would like to say this: If the Defense Department warned the Senator that the report did contain classified material and Mr. Jerry W. Friedheim, Pentagon press spokesman, said it did contain secret and top secret material, does not the Senator think it would have been the part of wisdom to have met with the Defense Department officials and considered screening those portions that did contain classified material, even though the Senator and his colleagues had obtained information from one magazine or another or one newspaper or another, or if someone had stolen it from the Pentagon and gotten it to him somehow. I do not imply that this did happen. But the point is, suppose it did contain secret or top secret material and the Defense Department, as it did in its letter, requested that they be allowed to meet with the Senator before that report was published and disseminated, then I question the wisdom of releasing the information. I believe in the letter to the Senator from Oregon dated July 8, it read:

I have been advised that preliminary review of draft documents prepared by your committee indicates that there is classified material included. I will await your instructions as to how your committee desires to consult before the publication and dissemination of your final report.

Does the Senator feel that if the Pentagon, which is sensitive to classified material, felt so strongly about this and went so far as to put the Senator on notice that they did feel strongly about this, regardless of where the information came from, it was wise to repeat it and repeat it again if it was classified information? Would it not have been the better part of good judgment and security for the Senator to have worked with the Defense Department and eliminated those portions rather than go ahead with a press conference?

Mr. HATFIELD. Does the Senator want a response to that?

Mr. THURMOND. I am glad to yield for that purpose.

Mr. HATFIELD. My office called Mr.

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Jerry Friedheim and asked for specifics of where there had been violations of classification. Upon discussing this material with Mr. Jerry Friedheim of the Defense Department—he said, "Well, we just would have preferred that certain sections not be used in that report."

Again, we asked for specifications of item by item of where we were violating security. Even though they have found time to have press conferences and engage in press releases and discussions, they have yet, up to this date, to relate to us, even though we have requested it, exactly what material they would like us to delete or what material was classified material.

Mr. THURMOND. In response, I still say that the Department of Defense felt so strongly about this matter that they contacted the distinguished Senator from Oregon, wanting to meet with him to talk these matters over. We would not expect the Defense Department officials to tell him over the phone what was top secret. That would not make sense. They wanted to meet with the Senator from Oregon in person and discuss these matters, to tell him they were classified, and to see if they could not induce him to withdraw them. Why could not that have been done, rather than to go ahead and have a news conference and release the information to the public?

Mr. HATFIELD. Mr. President, I have been in my office. I am willing, able, and eager to meet with representatives of the Defense Department at any time. I did not ask them for specifications over the telephone. It would be ridiculous to ask the Defense Department to supply them over the phone. I do not know whether my phone is tapped or not. But, by the same token, I have to say that I have had no indication that the Defense Department was interested in communicating with me, other than through a news conference. I think that is not the way to handle a serious matter. If there had been serious thought about this whole report by the Defense Department, they should have been on the telephone, so to speak, seeking an appointment or seeking to counsel with me, rather than to communicate with me through a news conference.

Mr. THURMOND. I respond by saying that they asked for a conference with the Senator. They did not get a conference. The Senator went ahead and held a press conference, and the Defense Department said the report contained classified information. They wanted to point

that out to him. I am informed now that the Department of Defense has detailed these security violations. If the Senator had had a meeting with them, they could probably have resolved the situation. It is my belief that the Senator might have agreed not to publish this report after the Pentagon had pointed out the classified portions which should not have been published.

Mr. HATFIELD. Mr. President, in reviewing the letter again—I suggest that the Senator reread it—there is no request at all for a conference.

Mr. THURMOND. That letter informed the Senator that the report contained classified information, and it also said that the Department hoped the Senator would await instructions before proceeding with the publication and dissemination of this report. But the Senator went ahead and disseminated it in a press conference without conferring with Defense Department officials.

Mr. HATFIELD. Mr. President, I think we have made our points. I am not going to belabor the issue. I think, again, that basically the problem of the Defense Department is its medieval system of classification, trying to say something is classified when it has already been published in the newspapers or published in a journal. I do not think it is up to Congress to determine whether published materials are classified. If a Member of Congress who is doing research can find something in a publication of this kind, I do not think it is necessary for him to ask permission from the Defense Department to make a report to his Senate colleagues.

This is not the first time this has happened. It has happened a number of times with Senators. I think that after a while the Defense Department might get a little notice that their system is not functioning correctly.

There is no intention, no desire, to violate classification. I think, again, that the Defense Department is acting more in a political manner than with concern for the security of the Nation, because had they been deeply concerned, they would not have waited to exchange letters; they would not have waited to exchange press releases; they would have had an immediate confrontation.

I have had representatives of the military call at my office before. They know they are welcome and can come at any time for a conference or discussion or to ask for an appointment.

I question the real concern of the De-

partment for the security of the country in this case, because I can prove, by chapter and verse, that every word of this report came out of publications available to the general public.

I would urge the Senator from South Carolina, as a member of the Committee on Armed Services, to perhaps make it an item on the agenda of that committee to review the classified system of the U.S. Department of Defense. I think it might prove to be a worthwhile undertaking. Then we will not have to get into the question of challenging or repudiating the patriotism of any Senator. I think it would be better if the question were studied by the committee and made a committee project.

I urge the Senator from South Carolina, if he is deeply concerned, to have this question taken up as an item of agenda by the committee.

Mr. THURMOND. I think what is most needed is not a new system but to observe the present system.

ADJOURNMENT TO 11 A.M. MONDAY,
JULY 20, 1970

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate adjourn until 11 o'clock, Monday morning next.

The motion was agreed to; and (at 4 o'clock and 46 minutes p.m.) the Senate adjourned until Monday, July 20, 1970, at 11 a.m.

NOMINATION

Executive nomination received by the Senate July 17, 1970:

IN THE AIR FORCE

The following-named officer for temporary appointment in the U.S. Air Force under the provisions of chapter 839, title 10 of the United States Code:

To be major general

Brig. Gen. Roy M. Terry, 134-10-6944FR (colonel, Regular Air Force, chaplain) U.S. Air Force.

WITHDRAWAL

Executive nomination withdrawn from the Senate July 17, 1970:

BUREAU OF MINES

J. Richard Lucas, of Virginia, to be Director of the Bureau of Mines, which was sent to the Senate on May 6, 1970.

EXTENSIONS OF REMARKS

CAPTIVE NATIONS

HON. WILLIAM E. MINSHALL
OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 15, 1970

Mr. MINSHALL. Mr. Speaker, in a recent letter from Dr. Lev E. Dobriansky, of Georgetown University and the distinguished chairman of the National Captive Nations Committee, I was particularly struck by his comments:

Ironically enough, as all reports at this stage show, the captive nations in Eastern Europe, the USSR, Asia and Cuba, not to speak of the near-captives in Southeast Asia and elsewhere, have far more faith in the historic role of America than some segments of our populace. Congress can responsibly and assertively rectify this lag by (1) creating a Special House Committee on the Captive Nations, which would unquestionably offset the appalling ignorance of our youth and others regarding the captive nations and (2) moving for reconsideration of the Freedom Academy bill in view of the intensification of Red political warfare on our own terrain.

I could not agree more with Dr. Dobriansky's views. For years I have introduced and reintroduced the resolution to create the Special Committee on the Captive Nations. In this Congress it is House Resolution 77. If we in Congress do not take the initiative or have the moral courage to act on this simple resolution, which has so many cosponsors in the House, how, indeed, can we expect our confused and uninformed youth to understand the true nature of the plight of the captive nations and the depredations

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they suffer under Communist imperialism? Except by contrast with the harsh realities of what communism is actually doing to millions of human beings around the globe, how can we teach them that only in a society which respects the rights of each individual can they flourish and grow?

Toward that end, both for the goal of self-determination of the enslaved captive nations and the enlightenment of a segment of our own young people, let us act now on the resolution to create the Captive Nations Committee.

PSYCHOLOGICAL ANALYSIS OF THE FACTORS LEADING TO AND MAINTAINING AMERICAN INTERVENTION IN VIETNAM

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 16, 1970

Mr. BROWN of California. Mr. Speaker, the long list of studies detailing America's entrance and maintenance of its tragic adventurism in Southeast Asia still grows, and with each new analysis, I perceive an immense and extremely complex jigsaw puzzle beginning to fall into place.

One of the more fascinating studies was first published back in April 1967 in the American Journal of Orthopsychiatry. That study was entitled "Psychological Habituation to War: A Sociopsychological Case Study" and is the work of Dr. Isidore Ziferstein, an associate clinical professor of psychiatry at UCLA.

Despite its rather academic title, Dr. Ziferstein's study avoids overuse of jargon, and I found it quite readable—and extremely informative. I am impressed by this type analysis, and I believe it has great merit.

Briefly, what Dr. Ziferstein says that over a period of years the U.S. Government has employed public relations techniques to sell to the American people a war they never wanted. Heavy reliance has been placed on the technique of psychological habituation—a means of psychologically incremental moves aiming to show that whatever was done was right and within a set logic. The end result is that the individual citizen eventually acquiesces with no feeling that his right to disagree is being suppressed.

Recently, Dr. Ziferstein added an epilog to his original study, and, as with the first paper, I find his perception and application of theory to be most valuable.

I highly recommend these studies, and I now place them in the RECORD at this point:

PSYCHOLOGICAL HABITUATION TO WAR: A SOCIOPSYCHOLOGICAL CASE STUDY (By Isidore Ziferstein, M.D.)

In a comprehensive essay on adolescence, George E. Gardner lists as a major and most difficult task confronting the child as he enters adolescence, the giving up of the security that is predicated upon the "all-knowingness" and the "all-powerfulness" of his

mother and father. In this connection Gardner emphasizes . . . the extreme vulnerability of all adolescents (or of adults who are still essentially adolescent) to the cry and to the seductive voice of the false leader or the leader with the false ideology or intent. That adolescent (of whatever chronological age) are appealed to—and respond to—such leaders, is accounted for by the fact that that the latter always promise, among other things, an omniscient who can do their thinking and an omnipotent who will be their power.¹⁰

There is a parallelism between these growing pains of adolescence and the growing pains of a developing democratic society. In both instances, there is the danger of regression to an earlier phase of development, where security is sought by relying on an omniscient and omnipotent authority. The success of the democratic process requires citizens who are psychologically ready and willing to think creatively, to make choices, to make decisions as adults, not only in their family and other interpersonal relations but also in matters affecting their community and the nation. The democratic process, to be successful, also requires elected representatives who are able to resist the occupational hazards of their positions of leadership—the temptation to feel and act omniscient and omnipotent.

Too often there is a polarization, a division of labor, a division of society into two castes: the leaders and the led. Too often the ordinary citizen beset by the cares and demands of everyday living, is relieved and content to leave the business of governing to the leaders. And too often the professional "governors" are men who are attracted to this profession by their need to wield power, the need to feel and be omnipotent.

One of the situations that bring this division into sharp relief is the state of war. The men who govern in time of war quite openly arrogate to themselves special powers over the governed. The reason given for this arrogation is the need to "maintain unity on the home front in time of crisis." This phrase means simply that the government feels it can not tolerate, in wartime, expressions or actions that may turn public opinion against the war effort.

In past wars, our government, like other governments, has employed forceful means and appeals to jingoism to achieve the required suppression of dissent. For example, in 1917, during World War I, the Congress enacted a Sedition Act under which more than 1,900 persons were convicted for such crimes as . . . making a movie of the American Revolution showing Britain and America at war; saying that war drove men mad; urging people to vote against Congressmen who had voted for conscription; and writing a pamphlet which said that war is contrary to the teachings of Christ.¹²

In any upsurge of superpatriotism, an interest in anything German was considered unpatriotic. Sauerkraut became liberty cabbage; opera companies stopped performing Wagner; and symphony orchestras eliminated works by German composers from their repertoires.

The current war in Vietnam has to date been relatively free of such phenomena. In fact, high government officials, including the President, Vice President, and Secretary of State, have made a point on several occasions of defending the right of dissenters to protest. They have even pointed with pride to these proofs of freedom of speech in an America at war.

Footnotes at end of article.

explanation, however, is that the gross suppressive techniques of previous wars have been replaced by more subtle methods which are effective without being offensive, methods whose effectiveness is enhanced by the refinements of the new "science" of public relations and by the all-pervasiveness of the mass media.

A major element in the new, "Public relations" approach is the very gradual escalation of the war effort. In this process of graduated escalation, each new step toward greater involvement is in itself small and seemingly insignificant. Each step appears to evolve as a logical consequence of a previous small and seemingly insignificant step toward greater involvement. And the new step equally logically prepares the ground for the next small and seemingly insignificant step.

The smallness of each step, and its logical evolution out of previous steps, make it acceptable. The gradualness of the process produces a habituation to the involvement. The end result is that the people find themselves deeply committed to large-scale war, without being able to tell how it came about, when and how it all began.

This point was dramatically illustrated at the hearings on the war in Vietnam of the Senate Foreign Relations Committee. On February 17, 1966 the following interchange took place:

Senator HICKENLOOPER. When was the commitment made for us to actively participate in the military operations of the war with American personnel?

General MAXWELL TAYLOR. Insofar as the use of our combat ground forces are concerned, that took place, of course, only in the spring of 1965. In the air, we had been participating more actively over two or three years.²³

The fact that General Taylor, who was personal military representative of President Kennedy in 1961-62, Chairman of the Joint Chiefs of Staff in 1962-64, Ambassador to South Vietnam in 1964-65, and now Special Consultant to the President, could only say vaguely, "in the air we had been participating more actively over two or three years" is characteristic of the confusion and uncertainty produced by this kind of gradual escalation.

At this juncture, with the nation already deeply involved in actual fighting, other seemingly cogent arguments take over; e.g.: The nation is in danger. Our boys are fighting and dying. Now is not the time for doubting, questioning, hesitating, debating. We must give full support to our boys at the front. Those who refuse full support, or who hesitate, give comfort to the enemy and are directly responsible for unnecessary deaths at the front. All we can do now is to rally 'round the flag, support our Commander-in-Chief. Etc.

Under these conditions, there is no longer any need for direct suppressive measures to guarantee a pro-war consensus. Instead one can employ appeals to "maturity," to concern for one's country, to concern for our boys fighting and dying at the front.

A classic example of this technique appears in a *New York Times* report of a speech delivered by President Johnson on May 17, 1966:

President Johnson, in his most outspoken attacks on the opponents of his Vietnam policy so far, called on all Americans to unite behind him.

Mr. Johnson, gibing at "nervous Nellies," seemed almost to call for an end to criticism of the Administration's actions in Vietnam and to question his critics' patriotism.

Mr. Johnson said, "I ask you and I ask every American to put our country first if we want to keep it first. . . . Put away all the childish divisive things if you want the maturity and the unity that is the mortar of a nation's greatness. I do not think that those men who are out there fighting for