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Mike Mansfield 1903-2001
if we can, how Congress and the courts, and the Board Itself, can better review and control its operations.

In the area of labor law, and as respects the Board, or both, it may be a partisan. But I hope that these hearings will be received in the same impartial spirit in which they are conducted. This is an opportunity to criticize honestly where criticism is warranted, and to praise where praise is deserved. Our objective is to do what we can to improve the operations of the NLRB, administrative agencies in general, and the Government as a whole. We shall rely upon witnesses not only to analyze the role of the Board in terms of the policies established by Congress, but also suggest the changes which congressional and judicial oversight of this administrative agency and the others can be improved.

The subcommittee has invited a number of scholars and experts in administrative law and labor relations to testify at the hearings. In addition, they will hear from representatives of management, labor, and the Board itself. Among those who are presently scheduled to testify or present statements are the Prof. Derek Bok and Louis Jaffe of the Harvard Law School, Prof. Archibald Cox of the Harvard Law School and former Solicitor General of the United States, Prof. Howard Lesnick of the University of Pennsylvania, Prof. Harry H. Wellington of Yale Law School, and Prof. Cornelius W. Peck of the University of Washington, Seattle.

Because of the widespread interest in these hearings it may not be possible to hear every person who wishes to testify. However, the subcommittee will make every effort to accommodate those who wish to submit statements for the record. All persons desiring to present testimony or submit written statements should contact the subcommittee office, room 1403, New Senate Office Building.

NOTICE OF HEARING ON PROPOSED INTERNAL SECURITY ACT OF 1968

Mr. EASTLAND. Mr. President, I want to give notice that open public hearings on the proposed new Internal Security Act of 1968 will begin at 2:30 a.m. on February 27, and will continue through a period of several weeks thereafter. Anyone any person wishing to testify on this bill should communicate with the clerk on the Committee on the Judiciary, Mr. John Holloman, or the chair of the Subcommitte, Mr. Jay Sourwine. Anyone wishing to present a prepared statement should submit a copy of the statement to the subcommittee at least 24 hours before the date scheduled for his appearance. Written statements for inclusion in the record, but not intended to be presented orally, may be submitted at any time during the course of the hearings, and will be admitted to the hearing record if found pertinent and not excessive in length.

The hearing on Tuesday, February 27, will be held in room 3304 in the New Senate Office Building.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on Friday, February 26, 1968, he presented to the President of the United States the enrolled bill (S. 269) to authorize an exchange of lands at Acadia National Park, Maine.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, if no one wishes to speak at this moment, I should like to speak for about 5 minutes if I may.

The VICE PRESIDENT. The Senator from Montana is recognized, although a request from the Senator from Alaska.

Mr. LONG of Louisiana. Mr. President, may we have order in the Chamber?

The VICE PRESIDENT. Will the Senator from Montana hold for just one moment. I am about to tell the Chair be in order and that the galleries be quiet. The Senator from Montana seeks recognition.

The Senator from Montana. Mr. MANSFIELD. Mr. President, I ask for several additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

VIETNAM

Mr. MANSFIELD. Mr. President, last week, U Thant, the Secretary General of the United Nations, met for an hour with President Johnson at the White House. It is safe to assume that the subject matter discussed was the possibility of negotiations covering a cessation of hostilities or an ending of the war in Vietnam. What came out of that meeting is that the United States is now in a position to bear every opportunity for achievement of a solution; that the United States is now ready to make every effort to accommodate those who wish to make a statement. All persons desiring to present testimony or submit written statements should contact the subcommittee office, room 1403, New Senate Office Building.
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I refer once again, too, to the proposal made by our distinguished colleague, the Senator from Kentucky [Mr. Cooper] that we confine the bombing to the 17th parallel and to the Ho Chi Minh trail, and that we concentrate and consolidate our effort and forces within South Vietnam. Finally, I would refer, once again, to the unanimous resolution of the Senate which calls for an open initiative in the United Nations Security Council in an effort to delineate a path in an initiative which has yet to be taken. These suggestions interrelate with the suggestion of U Thant which, I repeat, is deserving of our most careful and immediate consideration.

In one way or another, it seems to me, that it is preferable to make a try for negotiations than to continue to heed the inane calls for more and more men as the war spreads and intensifies. To make this try, to me, is preferable to going on to find out how we got into this barbarous war. To me, it is preferable to concentrate on today and to plan for tomorrow in an effort to find a means to conclude the war in Vietnam before it gets completely out of hand.

Mr. President, I ask unanimous consent to have printed in the Record, as follows, the text of U Thant's statement, published in the New York Times on yesterday.

There being no objection, the statement was ordered to be printed in the Record.

TEXT OF THANT'S STATEMENT ON TALKS ABOUT VIETNAM

UNIFIED NATIONS, N.Y., February 24.—Various questions have been raised, and different interpretations have been given, following my recent talks in certain capitals. Indeed, it is for me a great advantage in the discharge of my responsibilities as Secretary-General of the United Nations to be able to meet at intervals with leaders of governments and to exchange views with them.

Obviously, in the present circumstances, the subject has been taken up and discussed over all other subjects in the discussions, simply as a result of the increasing concern that the world feels.

Although it is for the parties directly involved, ultimately—and, I hope, soon—to take the next steps and establish the contacts necessary for negotiations, which they know must take place if this war is ever to be brought to an end. The Vietnam conflict has repercussions which extend far beyond the parties themselves. That is why I feel it would be useful to present this account of what happened during these recent meetings.

TRAVEL DETAILS GIVEN

Some of the details of my travel have already been made public on a day-to-day basis by the United Nations headquarters. Nevertheless, as I feel it relevant to what I wish to say, I will record the events in the order in which they took place.

As is known, I took the opportunity during my visit to New Delhi in connection with the second session of the United Nations Conference on Trade and Development to meet the Consul General of the Democratic Republic of Vietnam [North Vietnam], Mr. Nguyen Hao, on Feb. 8, and to discuss with him the question of reopening talks.

The consul general affirmed that his government “would hold talks with Washington and Peking later on in time after the unconditional cessation of bombing and of all other acts of war against the Democratic Republic of Vietnam.”

He drew my attention to the statement that had been made on this subject the day before [Feb. 7] by the Foreign Minister of the Democratic Republic of Vietnam, Mr. Andrei A. Gromyko, after an interview with a press agency, which said, in particular, that talks would begin as soon as the US government promised to unconditionally and really unconditionally stopped the bombing. I then put to him some questions which he promised to transmit to his Government, assuring me that it would reply to these questions as soon as possible.

While in New Delhi, I called on the President of India, Mr. Zakir Hussain, and had several meetings with Prime Minister of India, Mrs. Indira Gandhi.

From there I flew to Moscow where I was received by the secretary general of the Communist Party, Mr. Leonid Brezhnev; the chairman of the council of ministers, Premier Aleksei Kosygin, President Nikolai V. Podgorny and Foreign Minister Andrei A. Gromyko.

In London, I was received by Prime Minister Harold Wilson and had discussions with him, Foreign Secretary George Brown, Commonwealth Prime Ministers, the Prime Minister of Lord Chalfont, and the leader of the Opposition, Mr. Edward Heath.

While in Paris, I informed the delegate general of the Democratic Republic of Vietnam in France, Mr. Mai Van Bo, of the message to him from his Government for transmittal to me. This was the reply to the questions I had received for公社 the 14th and saw Mr. Mai Van Bo, who conveyed to me the reply from his Government, dated Feb. 13, to my questions.

In this message, there was a further clarification of Hanol's position concerning discussions on the question of the unconditional and immediate cessation of the bombing, which it is stated that the Democratic Republic of Vietnam would hold talks with the United States at the appropriate time, that is, as soon as the unconditional cessation of bombing and of all other acts of war against the Democratic Republic of Vietnam became effective.

ANY TOPIC ADMISSIBLE

I was further informed that, at the talks, the United States could bring up any matters for discussion in the same way as the Democratic Republic of Vietnam could bring up any other. In reply to my query, Mr. Mai Van Bo stated that the questions of the reduction in the fighting in South Vietnam, the question of the reconvening of the Geneva Conference after question could be brought up at the talks.

On the same day, I was received by President Lyndon B. Johnson and Secretary of State Dean Rusk in Washington. The President reaffirmed his continued desire to find a peaceful settlement and indicated the substance of the discussions on Vietnam during my visit to various countries. On Feb. 16, I conferred with the permanent observer of the Republic of Vietnam [South Vietnam], Mr. Nguyen Huu Chi.

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My visits in various capitals have reinforced my conviction, which I have repeatedly expressed in my public statements on the large scale of human suffering in the past three years, namely, that the question is essentially a political question which cannot be solved through the application of military force, the use of which would bring the war to a conclusion in that area.

But we should know that the addition of 100,000 men to our fighting forces in
think we “missed the boat” in January 1967, when the Pope, joined by Thant, and many others, asked that the bombing be stopped.

I would like to ask the Senator, who is very knowledgeable in this field, in addition to being majority leader, if he does not believe it would be a challenge to present all directly and indirectly involved, to reiterate the diplomatic conditions of February 1967. In the postwar world we have seen that it takes the two superpowers working together to get anything done of this nature. If the Soviet Union joined the call for a bombing cessation as a basis for beginning negotiations, along the lines of our San Antonio formula, that would represent a situation in which the Soviet Union’s prestige is on the line just as much as ours.

It seems to me that this is a key challenge facing the administration; this is the basic idea on which I would like to get the opinion of the majority leader.

Mr. MANSFIELD. Mr. President, may I say that Mr. Kosygin on a number of occasions has stated that there are legitimate steps that he feels could bring about negotiations would be a cessation of the bombing of the north. Pranavisot, U Thant, has said that countries were involved if we could find our way to the negotiating table, and so I would not be at all averse to encompassing all directly involved, including the NLF, China, and the Soviet Union. After all, two of those are signatories to the Geneva accords of 1954 and 1962.

I can understand the reticence of the administration, but we have had suggestions from the Soviet Union, Poland, and the Pope. Thant has tried to do on his own. I hope that is still the case.

As I said on the floor a couple of years ago, if we are going to fight an all-out war in Asia, we must adopt those rules and regulations that go with all-out war. That means universal conscription. It means a big increase in taxes. It means war materials.

The President is inadvertently responsible for the escalation in prices and war taxes, because every time he asks labor not to raise wages, or industry not to raise prices, he tells industry not to raise its prices, implying we will have wage and price controls if they do. It is an open invitation to raising wages and raising prices in order to get them as high as possible before the freeze set in.

So I hope nobody is going to be fooled by the request for 100,000 more men in Asia if we have the idea of a complete military victory in our minds. I would suggest that instead of 100,000, perhaps another cipher be added to that figure—and not before the “1.”

Mr. JAVITS. Mr. President, will the majority leader yield, on my own time? I have 3 minutes.

I would like to ask one question. First, I certainly concur in what my colleagues have said. Second, not only is the present state of the war expanding, but also its Americanization. This deeply concerns the American people. It is more and more a domestic issue.

I would like to ask the Senator, with respect to the cessation of bombings as a basis for beginning negotiations, I
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day that it was thought more men would be needed; a statement given in an interview by General Westmoreland to one of the president's associates in the White House. I have no doubt that it was thought he would need more men.

I would feel that as far as the President is concerned, he will discuss with him his plans in this connection. Mr. MANSFIELD. No, nor do I think he is in a position where, at this time, he can discuss them, because I assume he is waiting for information, and on the basis of the information and the recommendations which will be made, then he will be face to face with a decision.

Mr. FULLBRIGHT. If he has not discussed it with the majority leader, I take it he has discussed it with no member of this body. Certainly we have no information in the Committee on Foreign Relations about these plans.

It would seem, in view of this disastrous situation in which we find ourselves, that the Committee on Foreign Relations and the Senate should be informed before the President's plans before a decision is made.

Mr. MANSFIELD. I am sure a decision will be made, and if and when it is made, I am sure the Senate will be informed at that time. I have no doubt that it will.

FALSEHOOD, FAILURE, AND FUTILITY—THE COLLAPSE OF U.S. POLICY IN VIETNAM

Mr. GRUENING. Mr. President, the events of the past few weeks have demonstrated beyond a shadow of a doubt the utter collapse of U.S. policy in Southeast Asia.

Facts now coming to light concerning the Tonkin Gulf episodes of August 2 and 4, 1964, further widen the so-called credibility gap: The able and distinguished chair of the Foreign Relations Committee (Mr. FULLBRIGHT) has stated that Secretary McNamara's statement before that committee, as released by Secretary McNamara, "is a classic example of selective declassification of security material."

He said further: "Everything related to the Tonkin incidents is "manoevered except that which the Pentagon deems should be made public. This deceives the American public.

I agree. I have read the so-called "secret" CARECENAL document and the so-called report of the staff of the Senate Foreign Relations Committee and the transcript of the hearing held before that committee on February 20. A review of both of these documents makes it clear that Secretary McNamara did not tell the whole truth, either, when he testified before the Foreign Relations Committee on August 26, 1964, and when he testified before it on February of this year.

Nothing in the staff report could be remotely considered as endangering the security of the United States, especially 3½ years later. Only a small portion of the North Vietnamese know by now what happened—even if it has been withheld from the American people.

The American people, who are paying the cost in lives, blood, and money, have a right to know.

Secretary McNamara should immediately declassify all of the material in the staff report and in the Tonkin Gulf hearing on August 6, 1964. Failing such action on the part of the Secretary, the Senate Foreign Relations Committee should come before the Senate to declassify the staff report.

Meanwhile, events in South Vietnam attest to the utter futility of U.S. policies there.

As the Wall Street Journal stated in its leading editorial on February 23, 1968:

"We think the American people should be getting ready to accept, if they haven't already, the prospect that the whole Vietnam effort may be doomed; it may be falling apart beneath our feet."

Casualty figures published last week show that more American fighting men were killed in action during the preceding week than in any other week of the war. In the 41 days that had elapsed during 1967 when the report was made, 2,242 American fighting men have been killed in Vietnam. This is at a rate of over 50,000 deaths a year.

The PRESIDENT OFFICER (Mr. MONTOYA in the chair). The Senator's time has expired. Mr. GRUENING. I ask unanimous consent that I may proceed for 10 additional minutes.

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

Mr. GRUENING. The events of the last 2 weeks have shown conclusively that the repeatedly optimistic reports of General Westmoreland and other high administration officials are, as they have been for the past 4 years, entirely baseless.

Militarily the United States has lost the initiative. Those opposed to the Saigon regime have shown conclusively that there can be no safety for any South Vietnamese street, including those of the nation's Capital—Saigon.

Meantime, we have permitted 5,000 marines to become besieged in the north in an area becoming increasingly indefensible.

And now the call has come from General Westmoreland in Saigon for more American troops.

To what end?

The time has come....

The New York Times stated in its leading editorial on February 26, 1968—

"for Americans and their leaders to recognize that the policy itself is illogical; that it is not possible even for the American people to recognize that the policy itself is illogical; that it is better that the United States in a war without any visible limits. A new opinion is that it will continue to make inadmissible demands on American manpower, resources and energy for beyond the worth of any conceivable gains. The only sound policy is to move from the battlefield to the negotiating table with full and conciliatory efforts."

The much vaunted pacification program to "win the hearts and minds" of the rural population has collapsed as the pacification teams have been drawn in to defend the very cities on which their own security depends.

In September, with a loud fanfare, the administration, based on rigged elections and the adoption of a high sounding constitutional form, announced that the country was free to come to South Vietnam.

That so-called democracy there has been rapidly deteriorating the last few years.

The constitution has been suspended.

The corrupt military junta is jailing the leading opponents in the last election—"protective custody" is what it is called, a term highly reminiscent of the same term used in Fascist and Communist countries. It is not surprising that such term is used in a country, one of the dominant figures of whom is General Ky, whose greatest hero is Adolph Hitler.

In a moving advertisement in the New York Times on February 26, 1968, headed "In the Name of God, Let's Stop It Now," inserted by the International Committee of Conscience on Vietnam of the Fellow­ship of Reconciliation...

First, the Venerable Thich Tri Quang, "widely revered South Vietnamese Buddhist monk" has been placed in "protective custody."

Second, the peace candidates in the September elections, Au Truong Thanh and Truong Dinh Duse, have been placed in "protective custody."

Third, many of the 65 Saigon University professors who signed an appeal for a cease-fire and negotiations have been arrested and the others threatened with arrest.

Fourth, Seventeen leaders of South Vietnamese student organizations have been arrested for appealing for a cease-fire and negotiations;

Fifth, The Roman Catholic Bishops of South Vietnam have appealed to both sides for a cease-fire and the end of hostilities and negotiations.

Strict censorship of the press has been imposed in South Vietnam.

FLORA LEWIS, writing from Saigon in the Washington Post states:

"The newspapers here are censored to a point that sometimes leaves more white space than black. Discouraging remarks are not printed.

Thus the American efforts to bring democracy to South Vietnam are recorded in falsehood, failure, and futility.

ONE POSSIBLE SOLUTION TO THE VIETNAM SILEMMA

Recommendations for extraction of the United States from its Vietnamese folly are not the responsibility of those who for years have dissented from United States policy in Vietnam. It is the responsibility of those who got us into the Southeast Asia mess.

However, if President Johnson really wants to get the United States out of the morass in Vietnam, and save us from further fighting and even-depleting dis­aster and the increasing slaughter of the flower of our youth and of thousands of Vietnamese noncombatants, his oppor­tunity has arrived here and now.

He could go on nationwide radio and television and, in effect, say to the American people:

"My fellow citizens, I have tried for 4 years, and my predecessors have tried for Mike Mansfield Papers, Series 21, Box 44, Folder 12, Mansfield Library, University of Montana