

the legitimate exempt and bona fide private operations, not to direct its main efforts under the forfeiture provision as it relates to safety violations against those who in the normal course of their activities are in substantial compliance with the law or whose violation is of an unintended and minor nature. The language relating to safety violations is viewed as a necessary tool for the Commission's use in its war on illegal and unlawful operations.

The Commission in its own testimony on a number of occasions has brought out the good safety compliance record of those carriers who operate within the law. In the normal course of their activities and relations with these carriers the Commission already has sufficient authority to bring about compliance with the safety regulations.

Safety regulation compliance has been a problem with respect to those who do not otherwise comply with the law, and it is with a view to these operators that the language relating to the failure or refusal to comply with the rules promulgated by the Commission pursuant to section 204(a) (1), (2), (3), and (3a) is included in this section. In addition, your committee believes that the forfeiture provisions relating to continuing violations should not apply except in those cases where adequate notice has been given after the initial offense is discovered.

D. SECTION 4

Section 4 of the bill would remove the exemption of "used household goods" from the provisions of section 402(b) of the Interstate Commerce Act. In consequence of the removal of this exemption, the provisions of part IV of the Interstate Commerce Act become applicable to freight forwarders of used household goods, except as otherwise provided by section 4 of the bill.

The transportation by motor vehicle of used household goods in interstate commerce has been regulated since 1935. When the Freight Forwarder Act was passed in 1942, the preponderance of household goods shipments moved by motor common carrier. The volume of household goods forwarding at that time was too inconsequential to warrant legislation. In recent years, the development of containerization and its application to the transportation of used household goods has had a vast impact upon both the manner of shipment and competitive relationships within the industry. Today, a substantial volume of household goods shipments are handled by forwarders in so-called door-to-door container service. Instead of loading individual articles of furniture into a motor van, transporting the shipment by motor van to destination (or to a port in the case of an overseas shipment where the goods are packed into a sea van for water transportation) household goods shipments moving by this mode are packed or consolidated in a container in the home, forwarded by rail, motor, or water carrier to destination, then unpacked from the same container at destination. Use of the container mode has grown to the point where the preponderance of overseas shipments of used household goods are handled in this manner. Witnesses who supported this bill indicated that the container mode will be used with increasing frequency for purely domestic shipments as well.

With the advent of containerization, there has developed an industry of freight forwarders of used household goods who specialize in this mode and who have been successful in diverting considerable traffic from certificated motor common carriers of household goods. Such forwarders employ the services of regulated rail, motor, and water carriers and compete with motor common carriers of household goods with respect to rates and service. Regulation of this activity is, therefore, needed in the public interest.

In addition to persons who engage exclusively in forwarding of used household goods also function as forwarders of such shipments. Some carriers have initiated door-to-door container service as an adjunct to their carrier operations. Because the development of new techniques is changing the complexion of the household goods moving and forwarding industry, it is believed that the scheme of regulation to be imposed, particularly as regards entry into business, should not impede its natural growth and development. Witnesses representing all factions agreed that regulation of this activity should take account of the special nature of household goods forwarding and should be sufficiently flexible in respect of entry controls to assure that existing competitive relationships will not be disturbed.

Section 4(b) of the bill would amend section 406(g) of the Interstate Commerce Act to direct the Commission in prescribing regulations and practices of household goods forwarders to consider the similarities of service provided by motor carriers of household goods. This direction recognizes the close relationship between these two activities.

Section 4(c) of the bill would amend section 410 of the act to provide for the issuance of a permit to operate as a freight forwarder of used household goods to any person found by the Commission to be fit, willing, and able properly to perform the service proposed. Permits are to be of 1-year duration and renewable annually. Both original and renewal applications must be accompanied by a fee of \$50. Neither a "grandfather" clause nor a finding of public need is deemed necessary for the effective regulation of this activity. Indeed, more stringent entry control would tend only to prefer those who have initiated token operations. Many persons have operated as freight forwarders of used household goods only sporadically, but unless they are allowed to qualify for a permit upon a showing of fitness, they will lose business to competitors and be unable to serve their customers as they have in the past. Such a loss or redistribution of business is not intended.

Section 4(d) of the bill would amend section 410(c) of the act to enable a motor common carrier of household goods to qualify as a freight forwarder of used household goods. Since many such carriers are now functioning as forwarders, this provision is required to enable them to perform the same service they have in the past.

Section 4(e) of the bill would amend section 410(e) of the act to make the provisions of that section inapplicable to freight forwarders of used household goods. In order to afford forwarders of used household goods the flexibility which their operations require, permits to be issued should contain no territorial restrictions. This provision is intended to effectuate this objective.

Section 4(f) of the bill would amend section 411(c) of the Interstate Commerce Act to enable a motor common carrier or a director, officer, employee, or agent of such carrier to control, acquire control, or hold stock in a freight forwarder of used household goods. Again, this provision is needed to protect the position of carriers or carrier personnel who have acquired a stock interest in a freight forwarder of used household goods.

Section 4(g) of the bill would amend section 417(b) of the act to accomplish the same objectives as those outlined in the discussion of section 22 relating to the amendment of section 222(b) of the act.

E. SECTION 5

Section 5, recommended in the President's transportation message, would authorize the Interstate Commerce Commission to make agreements with States to cooperate in the

enforcement of the economic or safety laws and regulations of the various States or of the Federal Government with respect to highway transportation. Of this provision the message stated:

"This law would be consistent with collateral efforts to develop and adopt uniform State registration laws for motor carriers operating within States but handling interstate commerce. The purpose of both of these efforts is to help eliminate unlawful trucking operations which abound because of diverse, ambiguous laws and practical limitations in enforcement."

Mr. SMATHERS. Mr. President, I fully appreciate and recognize that the Commerce Committee has had a busy session. I hope, however, that it will have a chance to give this important measure expeditious and favorable consideration.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2152) to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the National Transportation System, and for other purposes, was received, read twice by its title, and referred to the Committee on Commerce.

TAXATION OF SMALL MUTUAL AND LIFE INSURANCE COMPANIES ON BOND DISCOUNT

Mr. LONG of Louisiana. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to permit small mutual insurance companies and life insurance companies to be taxed on bond discount like other taxpayers. I ask unanimous consent that an explanation of the bill, prepared by me, be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the explanation will be printed in the Record.

The bill (S. 2154) to amend the Internal Revenue Code of 1954 to permit small mutual insurance companies and life insurance companies to be taxed on bond discount like other taxpayers, introduced by Mr. LONG of Louisiana, was received, read twice by its title, and referred to the Committee on Finance.

The explanation presented by Mr. LONG of Louisiana is as follows:

EXPLANATION OF AMENDMENT PROVIDING CAPITAL GAINS TREATMENT ON MARKET PROFITS REALIZED BY LIFE INSURANCE COMPANIES AND SMALL MUTUAL FIRE AND CASUALTY INSURANCE COMPANIES FROM THE PURCHASE OF BONDS AT LESS THAN PAR VALUE

Under present law, life insurance companies, and small mutual fire and casualty insurance companies are the only taxpayers denied capital gains treatment on market profits realized from bonds purchased at less than par value. This results because these taxpayers are required to accrue annually a pro-rata part of the difference between the par or face value of the bond and its lower purchase price. All other taxpayers report bond discount as capital gains when the bond is sold or redeemed. Until last year, medium, and large mutual fire and casualty insurance companies were also required to accrue bond discount, but this was changed by the Revenue Act of 1962.

On March 15 of this year, I introduced S. 1104 which eliminated the requirement for accruing discount on tax-exempt bonds only. S. 1104 was restricted to discount on mu-

municipal bonds so as to eliminate the necessity of litigating the question of whether amounts of accrued discount on tax-exempt bonds were to be treated as tax-exempt interest or fully taxable interest. This is an issue recently raised by an Internal Revenue ruling (Rev. Ruling 60-210), and should be resolved by legislation and not left for the courts to decide.

The litigation of this recently created issue would be expensive both to taxpayers and to the Government and involves only years after 1960, even though the statute requiring accrual of discount has been in existence since 1942. Prior to 1961, mutual fire and casualty insurance companies and life insurance companies consistently and uniformly treated the accrued discount on municipal bonds as tax-exempt interest.

S. 1104, by allowing capital gains treatment on municipal bond discount, would avoid this litigation by giving life insurance companies and small mutual fire and casualty insurance companies the same relief from Revenue Ruling 60-210 that was accorded to medium and large mutual fire and casualty insurance companies last year by the Revenue Act of 1962. Thus, all taxpayers to which Revenue Ruling 60-210 applied would be treated alike.

Since the introduction of S. 1104, I have had inquiries suggesting that I expand my proposal to also eliminate the requirement of accruing market discount on taxable bonds. It was pointed out to me that the original purpose of the provision requiring life insurance companies to accrue discount on bonds at the time it was first enacted in the Revenue Act of 1942 was to provide a means of taxing this type of capital gains since life insurance companies were not taxed on capital gains at that time.

This purpose is recognized in the Conference Committee Report of the Revenue Act of 1942 (77th Cong., 2d sess., H. Rept. 2586) where at page 53 the elimination by the Senate of the House provisions including capital gains and losses from income and deductions and the Senate addition of the provisions relating to amortization of bond premium and discount provisions were explained as follows: "Amendment No. 206. . . . Capital gains are excluded in the tax base, and amortization of bond premiums and accrual of bond discount is provided for."

Since the Life Insurance Company Income Tax Act of 1959, however, life insurance companies have been subjected to tax on their capital gains. Therefore, the original reason for requiring the accrual of discount on all bonds by life insurance companies no longer exists.

This bill, by eliminating the required accrual of market discount for all bonds, will correct a matter which was overlooked when the Life Insurance Company Income Tax Act of 1959 was enacted. Also, by providing similar treatment for small mutual fire and casualty insurance companies, it will correct an oversight in the Revenue Act of 1962 when the required accrual of bond discount was eliminated for medium and large mutual fire and casualty insurance companies but not for the smaller companies.

The bill applies to tax years beginning after December 31, 1962, the same effective date as is applied to medium and large mutual fire and casualty insurance companies by the Revenue Act of 1962.

I am informed that the annual revenue loss caused by the enactment of this bill will be less than \$1 million, after taking into account the capital gains taxes that are ultimately due.

NUCLEAR TEST BAN TREATY—RESERVATIONS AND AMENDMENT

Mr. LONG of Louisiana. Mr. President, I submit a reservation, intended to

be proposed by me, to the resolution of ratification of the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater, and ask that it be printed. The reservation would assure that this Nation, under the treaty, would be permitted the use of atomic weapons in the event of warfare.

The VICE PRESIDENT. The reservation will be received, printed, and will lie on the table, as requested by the Senator from Louisiana.

Mr. MILLER. Mr. President, with respect to the pending resolution of ratification, I send to the desk an amendment and also a reservation, and ask that they be printed, and also that they be printed in the RECORD.

The PRESIDING OFFICER. The amendment and reservation will be received, printed, and will lie on the table, and, without objection, will be printed in the RECORD.

The amendment and reservation are as follows:

AMENDMENT

At the end of the resolution of ratification add the following new paragraph:

"Following ratification of the treaty by the Praesidium of the Supreme Soviet, the Secretary of the Senate is hereby instructed to return this Resolution to the President of the United States for appropriate action."

RESERVATION

Before the period at the end of the resolution of ratification insert a comma and the following: "subject to the reservation, which is hereby made a part and condition of the resolution of ratification, that the instrument of ratification of the treaty by the United States shall not be deposited as provided by paragraph 3 of article III thereof until the Union of Soviet Socialist Republics has paid all of its delinquent assessments to the United Nations".

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT OF DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION BILL, 1964

Mr. LAUSCHE submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 8754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes, the following amendment; namely:

On page 38, between lines 5 and 6, insert a new section as follows:

"Sec. 608. (a) The second sentence of section 4 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 904), is amended by striking out "and shall bear interest at the rate of 2 per centum per annum; interest rates on the unmatured and unpaid balance of any loans made pursuant to this section prior to the effective date of this amendment shall be adjusted to 2 per centum per annum, and the maturity date of any such loans may be readjusted to occur at a date not beyond thirty-five years from the date of such loan;" and inserting in lieu thereof the following: "and shall bear interest at a rate equal to the average rate of interest payable by the United States of America on its marketable obligations, having maturities of ten or more years, issued during the last preceding fiscal year in which any such obligations were issued and adjusted to the nearest one-eighth of one per centum:"

"(b) The third sentence of section 5 of the Rural Electrification Act of 1933, as amended (7 U.S.C. 905), is amended by striking out "and shall be at a rate of interest of 2 per centum per annum; interest rates on the unmatured and unpaid balance of any loans made pursuant to this section prior to the effective date of this amendment shall be adjusted to 2 per centum per annum", and inserting in lieu thereof "and shall bear interest at a rate equal to the average rate of interest payable by the United States of America on its marketable obligations, having maturities of ten or more years, issued during the last preceding fiscal year in which any such obligations were issued and adjusted to the nearest one-eighth of one per centum".

"(c) The amendments made by this section shall be effective with respect to all loans made on and after the date of enactment of this Act."

Mr. LAUSCHE also submitted an amendment, intended to be proposed by him, to House bill 6754, making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

ADDITIONAL COSPONSORS OF BILLS

Mr. BOGGS. Mr. President, I ask unanimous consent that at the next printing of the bill (S. 108) making Columbus Day a legal holiday, the name of Mr. WILLIAMS of New Jersey be included as a cosponsor.

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

Mr. BOGGS. Mr. President, I also ask unanimous consent that at the next printing of the bill (S. 2115) to improve the balance-of-payments position of the United States by permitting the use of reserved foreign currencies in lieu of dollars for current expenditures, the name of Mr. DOMINICK be included as a cosponsor.

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

AID TO VIETNAM—ADDITIONAL COSPONSORS OF RESOLUTION

Mr. CHURCH. Mr. President, last Thursday I submitted a resolution (S. Res. 196) which provides that unless the Government of South Vietnam abandons policies of repression against its own people and makes a determined and effective effort to regain their support, military, and economic assistance to that Government should not be continued. I left the resolution on the table for a week until noon, Thursday, September 19, so that other Senators could join in cosponsorship. The latest Senators asking to cosponsor the resolution are the senior Senator from New Mexico [Mr. ANDERSON], the junior Senator from Maryland [Mr. BREWSTER], the junior Senator from New Hampshire [Mr. MCINTYRE], and the junior Senator from Tennessee [Mr. WALTERS].

I ask unanimous consent for their names to be added. This brings to 30 the number of Senators now sponsoring the resolution.

1963

CONGRESSIONAL RECORD — SENATE

16487

disciplines applicable to human relations. The importance of the spiritual values has too often been forgotten, and too much reliance has been placed on purely material progress. The United Nations Charter represents a great effort to redress this imbalance.

"Since the Second World War three political imperatives have emerged with irresistible force and are shaping the course of history in this 2d half of the 20th century. They are: The outlawing of war as a means of settling international disputes, the abolition of the dependence of certain peoples on others, and international cooperation with a view to improving the levels of living of the developing peoples.

"MUCH WORK TO DO

"The United Nations has made incontestable progress in prosecuting these ends; but the work which remains for it to do is of much greater dimensions.

"In the broad historic process which is moving toward the attainment of the ideals of the charter, each General Assembly has marked a step forward. I hope that this 18th session will be no exception.

"The importance which the United Nations has acquired compels it to adapt its methods of work to the increasing demands it is called upon to satisfy. The efficiency of the organization will depend to a great extent on the efficiency of its methods of work. We must all cooperate in making it a ready and effective instrument, responding to the needs of the moment and prepared to face those of the future.

"Despite all the divergent views, conflicting interests and passions which must naturally find expression in an international parliament, we also share ideals and aspirations which constitute an invaluable common denominator permitting us to smooth out our differences and helping us to achieve acceptable solutions.

"URGES CONSISTENCY

"Many a difficulty can be overcome if we put aside the often artificially created fears and prejudices which distort reality and hamper understanding. Moreover, a sound interpretation of the principles of the charter presupposes that they are to be applied impartially. The principles and precepts of the charter are the same for all; we should not exempt some from what we demand of others, nor excuse in some what in others we condemn. Such inconsistencies weaken the moral force of the Assembly and breed mistrust and skepticism.

"I have every confidence that the debates, which will take place during this session and in which so many eminent states from all over the world will participate, will proceed in an atmosphere of understanding, harmony, and mutual respect and will increase the trust placed by the peoples of the world in the United Nations; and that, while they obviously cannot solve all the serious problems facing the world today, they will at least help to clear the ground for the solution of those problems.

"The United Nations is, in a sense, a mirror which reflects the world, and the spirit in which our debates are conducted is bound to spread beyond these walls to all the nations of the globe.

"Fortunately, this session opens in an auspicious atmosphere. International tension has been reduced by the welcome signature of the Moscow treaty, and in all parts of the world men's fears are replaced by hope.

"I beseech divine providence to enlighten our minds and to unify our efforts so that, thus inspired and united, we may bring to a happy conclusion our appointed task of maintaining peace among nations and promoting the progress and well-being of all mankind."

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

THE NUCLEAR TEST BAN TREATY

The Senate, resumed the consideration of Executive M (88th Cong., 1st sess., the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification.

Mr. MORSE. Mr. President, it is rather surprising to me that the debate and discussion of this treaty have gone so far afield from the subject it treats. Its central purpose was, and still is, to curb pollution of the earth's atmosphere with radiation. Yet the effort to do so has brought on a debate that seems to question the value of the treaty not because of what it does but because of what it does not do.

I suppose that my own criticisms and doubts about the value of the treaty also go to what it does not do. I very much regret that there is not more to the treaty; that it does not ban all nuclear testing; that it does not put any real curb on the armament race; that it does not call for disarmament of the kind that would permit substantial cuts in our defense budget.

It is a step so small it may never be noticed in the history of the world, if it is not followed up with more steps in the same direction.

That is the basis for my reservations. The objections that have been voiced by others, however, indicate a fear that it may be followed by additional steps.

Yet out of all the military and scientific testimony I have not heard the case made that the overall advantage in continued and unlimited testing by all nations—in other words the advantage of rejecting the treaty—would lie with the United States.

Let us not forget that defeat of the treaty and continued atmospheric testing by the United States, as advocated by some opponents of the treaty, would also mean continued atmospheric testing by the Soviet Union and the progressive and rising number of nuclear tests of other types of weapons by other countries.

The development of nuclear weapons, together with their systems of delivery, has brought the American people ever nearer to total destruction, not safety. This is so because we are unable to limit them to the United States. During that brief period at the close of World War II, when the United States and Britain alone had the nuclear capacity, we might have known that moment of complete supremacy in the world that few nations ever enjoy. But our supremacy was only momentary; it proved to be an incentive for others to acquire the same weapons. Today we hear it said in France that no nation that lacks nuclear weapons can be a first-class nation or exert influence or leadership in the world. France is busily acting on that premise, as is China, and I expect other nations to follow suit

whether we have a test ban treaty or not.

The critics and opponents of the treaty who want to continue atmospheric testing have no scientific breakthrough in mind that would reestablish any degree of military supremacy for the United States comparable to our breakthrough in nuclear weapons. What they are talking about are the refinements of nuclear weaponry that carry with them an ever-widening range of accompanying defense systems.

Take the antimissile missile, about which so much has been said in this debate. Of course, the scientists who have the responsibility of developing this weapon do not regard atmospheric testing as necessary to its development. But there are opponents of the treaty who do. Even from them, I have heard nothing in the debate or the testimony which would indicate that an installed antimissile missile, with a civilian defense shelter program which will be the next adjunct we will be asked to finance, perfected through continued atmospheric testing by all nations, would furnish the American people with a greater degree of safety than we now have.

I shall announce my complete opposition, when it reaches the floor of the Senate, to what I consider to be the deception and fraud being practiced on the American people by the passage in the House of Representatives yesterday of a so-called fallout shelter program. How deceptive can we be? How can we justify on moral grounds leading the American people to believe that a shelter program will be an effective protection for them in case of a nuclear war?

Mr. President, many scientists and military propagandists are deceiving the American people on this point, and I will not vote for a single dollar of appropriations for any so-called fallout shelter program, because it is a delusion and an illusion; it is a shockingly deceptive device on the part of some propagandists who seek to continue a military buildup that is bound to bring mankind to destruction.

What will the historians write, 100 years from today, if there is then any society, about the immorality of our generation, the immorality of the Americans, the Russians, the British, the French, and all the other leading nations of the world? Never before has such a chapter of immorality been written by man. The armaments race is a sinful and immoral thing; and it should be ended.

There are some interesting concealments of the great damage already done by fallout. Despite the propagandists who are seeking to deceive the American people into the opinion that we can continue atmospheric tests and not do irreparable damage to generations of unborn children. Last summer the dairymen in Minnesota had to keep their herds in the barns 24 hours a day—day and night. They did not publicize that fact, because they thought publicity might have an adverse effect on the milk industry; but the fallout in that part of the United States was so dangerous that,

16488

CONGRESSIONAL RECORD — SENATE

September 18

from the standpoint of health, it was not safe, even to turn the dairy herds out of the barns. It is about time for us to get to the American people the facts about fallout, even though they might have a bad effect on the dairy industry.

Mr. President, I offer no apology for basing my support of the treaty 100 percent on moral grounds. I pray to God that the treaty may be the first step which will help bring mankind to its senses before it is too late, and will lead to an ending of the sinful nuclear armaments race.

As a member of the Committee on Foreign Relations, I have studied long and hard the testimony submitted in connection with the treaty by scientists, militarists, and civilian political spokesmen. Over the past several years, I have interested myself in the entire matter of nuclear armaments, and from time to time have spoken—to the boredom of many Senators, I am sure—ever since the sinful nature of this race became crystal clear to me and ever since I became convinced of the inevitable destruction of a large part of civilization if we do not live up to our military responsibilities and start doing the things necessary to be done in order to bring to an end the immoral, nuclear armaments race.

Mr. FULBRIGHT. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I am glad to yield.

Mr. FULBRIGHT. The Senator from Oregon has made a very good point in regard to deception of the American people. He will recall the testimony of Dr. York—who, I believe is generally recognized as one of the great authorities in the field of the long-range aspects of the antiballistic-missile system, and who states that, in his opinion, there is no question that offense would always be much easier to develop and would always overcome any antiballistic-missile system one could have.

Mr. MORSE. I do not believe there is any doubt about that.

Mr. FULBRIGHT. In other words, it is a deception to pretend that we can develop a system which will protect us from all these missiles.

Mr. MORSE. I believe that point needs to be emphasized again and again. But if the nuclear armaments race is continued, it can result in the development of hideous destructive devices for killing.

Mr. FULBRIGHT. Yes.

Mr. MORSE. That is the test.

Mr. FULBRIGHT. I wish to add that what the Senator from Oregon has said about this race is quite appropriate; and some way must be found to bring it under control, for it is getting completely out of hand. Certain groups are now developing vested interests in these operations—as was evident in Miami, the other day, through the demonstration by the Air Force Association. It is now clear that unless we act reasonably soon to bring this race under control, a strong political movement which would be very difficult to control may develop.

Mr. MORSE. I completely agree.

Mr. President, in responding to the remarks of the Senator from Arkansas, I should like the RECORD to show my very great admiration for his leadership in the handling of the treaty and in this historic debate in the Senate. In his work as chairman of the Committee on Foreign Relations, of which I have the honor to be a member, he has made a magnificent record of statesmanship.

I have a commitment to go to the west coast, and therefore I shall have to leave immediately after completing my speech; but I wish to take this moment to express my compliments to the Senator from Arkansas.

Mr. FULBRIGHT. I thank the Senator from Oregon. Certainly he has done his part in connection with the treaty.

Mr. MORSE. Mr. President, too many of those who are trying to be more military than the military think of national defense only in terms of weapons. Yet defense really means the protection of the lives and property of American citizens. Armies, nuclear weapons, and missiles may or may not contribute to that protection. I suppose that is a concept that few Americans care to consider. It is contrary to the military dogmas of our day to mention the fact that the use of these pieces of hardware will also mean the failure of our defense system to defend the United States. Using them will mean the destruction of the lives, property, and freedom of millions upon millions of Americans, and probably the permanent destruction or at least curtailment of what we all like to call the American way of life.

Well then, it may be said that the important thing is not having an anti-missile-missile for the sake of using it, but only for the sake of having it. The nation that first develops and installs a reasonable anti-missile-missile is said to gain a political advantage that will encourage it to undertake aggression it could not otherwise risk. That seems to mean that the existence of a military weapon is valuable primarily for its political effect. But then we are agreed that these weapons, and the desirability of testing them, are political more than military questions.

Much the same is true of the 100-megaton bomb. I heard many doubts expressed during the hearings about whether it was wise to ban atmospheric testing after the Russians had tested bombs in this magnitude. Yet I never heard anyone who raised this point state that the United States should test bombs in this range. I do not know to this day whether that is the conclusion to be drawn.

The testimony was ample in showing that our nuclear program did not contemplate going into that range of weapons. We could have developed it in that direction, but we chose not to. There was no evidence that we would go in this direction in the absence of a test treaty, and I heard no critics of the treaty suggest that we do so.

The value of advances in weaponry achieved by wide open testing by ourselves and all interested nations can only

be judged in terms of what other countries are likely to do and in terms of the impact of this level of military spending upon our own economy.

This, of course, is why we have civilian control over the military—and I pray that we keep it.

Yet I am very much disturbed about a dangerous type of military buildup in the United States. I refer to the buildup of what I consider dangerous influence of the military on American public policy. There have been implications of it in the present debate, for in the debate there have been Senators who seem to be of the opinion that the judgments of the military should be substituted for those of American civilian officials in the determination of American public policy. As a constitutionalist, I say from the floor of the Senate today to the American people, "Keep yourselves on guard against the power of this military. Keep yourselves on guard against the growing and dangerous power of American military minds over public policy, for it is important in a democracy to keep the military always in its place; and its place is subordinate to our civilian leaders. Its place is to carry out policy determined by our civilian leaders, and not determined by military minds."

If the time ever comes when American foreign policy is determined by American military authorities, we are on our way to inevitable war. I speak weighing fully the meaning and implication of every word that I utter. If we permit the American military to determine American foreign policy, or have the determining voice in American foreign policy, we are on our way to an inevitable war and the destruction of our country, for all of history points out that unless we keep military forces in control, they will lead us to a manifestation of their art, which is the art of war.

I congratulate the President of the United States, the Secretary of Defense, Mr. McNamara, and the Secretary of State, Mr. Rusk, for their repetitive action during this administration to make perfectly clear to the military in the Pentagon that the Commander in Chief is still the President of the United States under our Constitution.

There is more implication in what I have uttered in connection with the treaty than the words at first analysis may seem to indicate.

As I have said, this is why we have civilian control over the military. It is why the power to declare war resides in Congress, and why the limitations on funds for the military establishment were written into the Constitution.

In today's world, arms and weapons alone are not a source of security or protection. If they are used, the nation involved in the exchange will have failed to achieve the primary purpose of defense, in the sense of protecting its people. The existence, the handling, and the nature of the military establishment and its component parts are hence vital political questions, as well as military ones.

The importance of having an antimissile is not in using it, but in its effect

1963

CONGRESSIONAL RECORD — SENATE

16489

on other nations. Will it deter them? Or will it merely encourage them to improve their own weapons systems in an effort to overcome our advantage? We already know that the development of nuclear weapons by the United States did not repel others from acquiring them, due either to their cost or to their horror. They are the status symbol of a first class power. The missile delivery system will undoubtedly be the next.

I do not mean to deny or to belittle in any way the importance of military defense against Communist aggression, and I doubt that any man or woman in the country has voted more funds for the military end of defense of the free world than I have in the last 19 years.

Time and time again I have voted more funds for the defense of our country than all the Presidents under whom I have served have requested. I have voted for more funds than President Roosevelt recommended; more funds than President Truman recommended; more funds than President Eisenhower recommended; and already in one case in connection with sea power, I have voted for more funds than President Kennedy recommended.

Each of us has to come to our conclusion of how much is enough, and I am rapidly coming to the conclusion that the increased sums we are spending for further weapons development are adding little to our total security.

I recognize the importance of keeping this country so strong that Russia will understand 24 hours of the day and night that she has everything to lose and nothing to gain by nuclear war. The sad fact is that it is true of us, too, and it is true of every nation which might involve itself in a nuclear war, and it is also sadly true of all peaceful nations that do not want to be involved in a nuclear war. They cannot escape its consequences. Certainly military weaknesses and capabilities are themselves a large political factor.

But it also seems to me to be more true than at any time in our history that the defense of the United States—meaning the protection of lives, property, and political and economic systems—depends upon economic and political factors.

Not the least of them is the impact of a military system like the one we have upon our economy. Guns versus butter. Up to some point, there is a case to be made that like public works, or like leafraking, Government spending for armaments injects a stimulus into our economy. We are hearing the argument being made now that spending for foreign aid—over half of which is munitions—is a boon to our economy. If foreign aid is a good thing because it puts men to work and keeps factories running, I shudder to think what arguments will be made against any reductions in our own Defense Establishment, should they become possible.

But at some point, military spending becomes more of a drag than a stimulus, and this, too, is a political decision. Certainly if the economic underpinnings of our Defense Establishment ever gave way, the free world would collapse without a shot ever being fired against it. We

have enough 20th-century examples of how political and economic conditions can overwhelm military objectives to know that the same thing can happen in the United States.

So it is that the hazards of radiation must also enter into these political decisions. We have already assured the death of an unknown number of people, and assured the deformity of many more by the testing we have done to acquire our present nuclear arsenal. Every further improvement in that arsenal that is tested, and every new weapon that is tested by another nation will be bought at the expense of an untold number of unborn children. Even assuming that not one of these weapons is ever fired in anger, its very testing will bring pain and death.

Some of these victims will be Americans. The longer the nuclear arms race continues and the more nations that get into the race, the more American children will die from it. So will Russian children, and so will children in countries that never spend a penny on a weapon of their own.

If Senators say that the radiation from testing is not bad enough to worry about, then I say, "You only mean you are not worrying about it today." Someone will have to worry about it tomorrow. But by then it may be too late to do anything about it.

That is why I think it is unfortunate that the debate over this treaty has gotten so far away from the small and limited objective of the treaty. When I hear Cuba, and Berlin, and the anti-missile missile dragged into this debate, I know that they are being dragged in by men who do not want the issue of the need to test versus the radiation hazard from testing to stand alone to be voted up or down. They are not satisfied to let this treaty stand or fall on its merits. Every issue we have had with communism everywhere in the world for the past 50 years is being brought in, in the effort to tip the scales against the treaty.

Not only is the past being made an issue, but so are future possibilities of amendments. Article II, section 2 of the treaty states:

Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all of the Original Parties. The amendment shall enter into force for all Parties upon the deposit of instruments of ratification by a majority of all the Parties, including the instruments of ratification of all of the Original Parties.

Note the language, Mr. President, "upon the deposit of instruments of ratification." That is the language of the treaty. Under the Constitution of the United States, it is impossible for us to deposit such an instrument until the Senate has given its advice and consent to that ratification. We know that a treaty is not effective insofar as we are concerned unless and until it has been ratified by the Senate. If Senators do not understand that, I do not know how it can be made any more clear by adding such an understanding to the treaty. It is the Constitution of the United States that governs our ratification procedure,

and the treaty declares that amendments to it must be ratified by all the original parties.

The alarms raised about possible amendments being achieved by executive action are all of the "what if" variety. It is pretty hard to see how or why the President of the United States would violate the Constitution by depositing an instrument of ratification of an amendment to this treaty when it had not in fact been ratified by the Senate. If he should, then he would be subject to both the legal action authorized by the Constitution and to the political action that his opponents would certainly undertake.

But suppose that in fear that the President might illegally announce the ratification of a future amendment, the Senate rejects the treaty. What is to stop any President from suspending tests in the prohibited atmosphere, anyway? As Chief Executive, he does not need ratification of this treaty by the Senate in order to make U.S. policy conform to the terms of the treaty.

Or suppose we add to the treaty the language that has been suggested, to the effect that all future amendments must be ratified by the U.S. Senate in order to make them legal from the American standpoint?

If a future President were inclined to violate the Constitution in order to accept an amendment to the treaty, he could also ignore the language added by the Senate and simply make American policy conform to the amendment.

If ever I listened to an example of surplusage, the proposal to add somewhere in the treaty a definition that ratification means approved by two-thirds of the Senate is it. That is what ratification means, anyway, under the Constitution. I do not know why the fear argument is being used. I am at a loss to understand this "windmilling" in the Senate, without the windmill even being connected to a servicable pump. This is diversion. This is confusion. This is "scarecrowism." It has no relevancy to the Constitution of the United States and the treaty-making powers and procedures set forth in the organic law involved.

I wish to make clear to my leadership that I am not interested in placating anyone by agreeing that unessential language be added to this treaty or to its resolution of acceptance. The resolution should be voted up or down without the change of a comma. I believe the leadership of the Senate has a duty to put it to a vote without the change of a comma, and to let the American people judge that vote.

If a future President were inclined to violate the Constitution in order to accept an amendment to the treaty, he could also ignore the language added by the Senate and make American policy conform to the amendment. Or he might even devise a way of depositing the instrument of ratification without submitting the amendment to the Senate. If we are contemplating a possible President who would violate the Constitution, I assume such a person would also be able to get around a mere Senate amendment.

16490

If any President should ever try to follow such a course of action in violation of the oath he took when sworn in on Inauguration Day, I would hope that there would be a sufficient number in the Congress who would vote to impeach him. That is the safeguard the American people have written into the Constitution. He would be subject to impeachment.

I am at a loss to understand this verballistic gymnastic program contemplated by the Senate on this subject matter in recent days. It has no relevancy to the Constitution and the safeguards written into the Constitution in connection with the ratification of treaties, and the great check the American people have under the Constitution, which retains for Congress the right to impeach a President who violates constitutional processes binding upon him when he takes his oath of office.

I think the negotiators of the treaty, and the President himself, are to be commended for the language which clearly requires ratification of any future amendments. To object that the treaty does not spell out the constitutional process by which the United States ratifies a treaty is a pretty flimsy ground for opposition to the treaty itself. We have over 600 treaties in effect, ratified by an equal number of acceptance resolutions, none of which have language of this kind in them.

I invite Senators to show me, during the debate on the treaty, in over 600 treaties which have been ratified by this body, language such as is here proposed. If we add it to this one, in the preamble of the resolution or anywhere else, does this cast a reflection on the 600 that went before?

It is now proposed to put into the preamble of the pending acceptance resolution the language in question. This would not affect the treaty itself, and would avoid the embarrassing predicament of going back to all the other signees with a restatement of our own Constitution. But it is, in my opinion, unnecessary and undesirable to put it in the preamble of the resolution, either, for all the same reasons.

I hope we have not reached the point where we will go through waste motion on the floor of the Senate, and add surplusage to the preamble of a treaty resolution, merely to placate someone. This treaty should stand on its own feet. It should not be modified one iota.

We know what our Constitution says and means about ratification of treaties. We know how much a President can do with or without a treaty in fixing the policy of the United States in nuclear weapons. It adds nothing to spell out our ratification process, and I am sure that doing so will not even gain the support of any Senator who makes this point against its ratification. They will still vote against it.

This brings me to the question of what, if anything, will come after it.

I hope something will come after it. What does come may not come in the form of a treaty. Just as we could suspend further underground testing without a treaty or an amendment to the current one, so could we probably take

further steps to guard against surprise attack without signing a formal treaty on this point.

If any agreement along those lines proves possible, it certainly should take the form of a treaty.

But even if we fail to reach further agreements with the Soviet Union, I believe the pending treaty is sound and advantageous to the United States. The Secretary of Defense has testified that it is advantageous to us even on military grounds, in that confining weapons tests to underground would slow down the Soviet Union as it seeks to close the gap with us in warheads of lower ranges, while the United States has little interest in the gap in the higher yield ranges, where the Russians apparently hold the lead.

I quote the testimony of the Secretary of Defense on this point. He said:

The risks under the treaty are either small or under our control, and the values of the treaty are substantial even if we consider only the military area.

I emphasize the word "only."

That is the conclusion of the Secretary of Defense. In his opinion, the treaty is advantageous to the United States in terms of its impact in the military area alone.

The Joint Chiefs of Staff were more conservative. They said that:

While there are military disadvantages to the treaty, they are not so serious as to render it unacceptable.

The most serious reservation they had was, in fact, a political one. It was that a relaxation in tensions might result from the treaty that would mean a let-down in military preparedness. That was the chief concern expressed by the Joint Chiefs; yet it is not even a military one.

I know that witnesses can be held up as examples of patriotic, dedicated men who have devoted their lives to the military service or to the scientific research that goes into military weaponry, and it can be said that this one and that one opposes the treaty. I think that all the witnesses who appeared at the hearings start even in their patriotism and in their dedication to the service of their country.

I am only concerned with the facts and opinions they presented, and I find the tremendous preponderance of fact and of expert opinion in support of the treaty. Indeed, this is true in the military and scientific fields as well as the political field, despite all the concentration upon issues of the antimissile missile and the high yield nuclear bombs.

So I shall vote for this treaty with only the reservation that it does not go far enough. I would like to see it include more far-reaching and significant measures. But I shall vote for it if for no other reason than that it tries to reduce the pollution of the atmosphere, and that is an objective the United States has pursued under administrations of both parties. It is the objective of the resolution introduced in this body by the Senator from Connecticut (Mr. DONN), of which I was pleased to be one of the cosponsors.

It is a very small and limited objective presented to us in the treaty. There is not even any certainty that it will succeed in curbing radioactive pollution. The major nonsigners, France and China, will probably pollute the world with their bomb testing, and these events could lead both the United States and Russia back into the test business. Or any of the signatories could simply withdraw or unilaterally abrogate the treaty for reasons of its own, immediately freeing all the other signatories from any further commitment to it.

When one stacks this frail and limited treaty against the overwhelming worldwide nuclear stockpiles now in existence, it is evident that in itself the treaty is scarcely a grain of sand in an ocean of potential destruction.

Yet I welcome the opportunity to vote for it, and I hope it will be ratified by an overwhelming majority.

In my opinion, we have nothing to lose from it and we may gain immeasurably. That is an opportunity that we do not often have presented these days and I cannot conceive of the American people, through their Senate, turning their backs upon it.

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

Mr. MORSE. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I wish very much to express my deep appreciation to the Senator from Oregon for an incisive and informative speech. This is not the first time he has made such a speech. We have become so accustomed to very penetrating analyses by the Senator from Oregon that sometimes we let them pass without comment, but he has made a very fine speech.

There are a couple of points I wish to emphasize. On one of them I wish to ask a question.

On page 9 of his statement he states:

Or any of the signatories could simply withdraw or unilaterally abrogate the treaty for reasons of its own, immediately freeing all the other signatories from any further commitment to it.

I am not quite sure I understand. Does the Senator mean the three original parties, or all the signatories?

Mr. MORSE. I mean that if any party violates the treaty, any other party to the treaty that wants to engage in nuclear testing and consider the treaty dead is not bound by it.

Mr. FULBRIGHT. Let us suppose the country of Burma decides to withdraw, under article IV, as distinct from violating the treaty. Does the Senator believe we are relieved of any obligations under the treaty without going through—

Mr. MORSE. Not at all.

Mr. FULBRIGHT. I wanted to be sure.

Mr. MORSE. No. If Russia or Great Britain or the United States violated the treaty, the other parties would be free at once to follow whatever their national interests dictated.

Mr. FULBRIGHT. There is another question which has intrigued me, and which I had not thought of. At page 8 of his text the Senator refers to the euphoria on which some of the opponents of the treaty, particularly the mili-

CONGRESSIONAL RECORD — SENATE

16491

tary opponents, rely so heavily. As I see it, that is essentially a political question; is that not true?

Mr. MORSE. Of course it is. They are out of their field in that respect.

Mr. FULBRIGHT. How the Joint Chiefs of Staff or any other military men are competent to judge the euphoria which might overtake Congress or the country is not quite a reasonable interpretation, it seems to me. I do not subscribe to that theory.

Mr. MORSE. Neither do I.

Mr. FULBRIGHT. I am glad the Senator has pointed out that this is essentially a political matter. I thank the Senator for a very fine speech.

Mr. MORSE. I thank the Senator for his comment. I close by extending to my President my hearty congratulations for the great statesmanship he has displayed by his leadership in connection with the treaty. I congratulate Governor Harriman for the very able work he did as our head negotiator in Moscow in connection with the treaty. When it was signed, I said it was a great day for mankind, for it offers mankind an opportunity to change its course and to march toward a new horizon of permanent peace.

It is up to the people of the world to determine whether they will hold responsible their governments for the establishment in our time of a system of permanent peace, for there will be no other time. I am convinced it will be done in our time, or most of mankind will be destroyed.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Iowa [Mr. MILLER], with the understanding that I do not lose my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MILLER. Mr. President, I thank the Senator from Ohio. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MILLER. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MILLER. Mr. President, my decision on whether to vote for or against ratification of the proposed limited nuclear test ban treaty is the most difficult one I have faced since I had the honor of becoming a Member of the U.S. Senate. Having been a Member for less than 3 years, I have felt reassured when I have heard the same comment from some of the most senior Members of the Senate.

In arriving at my decision, I have done my best to sit in on the various hearings which were conducted by the Committee on Foreign Relations, the Joint Committee on Atomic Energy, and the Committee on Armed Services, meeting jointly, and the hearings of the Preparedness Subcommittee of the Armed Services Committee, meeting in closed session; to

read the testimony before those sessions of the committees which I was unable to attend; to study a volume of materials—both top secret and unclassified—bearing on various aspects of the treaty; and to read most of the rather sizable correspondence I have received on the question of ratification.

I have also called upon my personal knowledge and experience as a member of the active Air Force Reserve, with over 26 years' service, including the faculty of the Army Command and General Staff College, Ft. Leavenworth, Kans., and the China-Burma-India Theater of Operations during World War II, and some 10 years' Reserve training at Strategic Air Command Headquarters before my election to the Senate in 1960.

When the future security of the United States and, in turn, of the free world, is at stake, one does not lightly turn aside any piece of relevant testimony or any argument advanced in good faith by well-meaning people, whether they are for or against ratification. Emotional arguments by sincere persons do merit attention and deserve consideration, although they naturally tend to hinder rather than to help in arriving at a sound decision.

Regardless of which way a Member of the Senate votes, none of us will know for a long time whether or not our vote was correct. If we have done our best to do our homework, if we do not let side issues such as partisanship cloud our thinking, if we vote our consciences—and I am sure all of us will do so—then we will have made the right decision. Whether it is the correct decision will cause us some sleepless hours in the years ahead.

TWO THINGS CERTAIN

Of two things I am sure: First, that when it comes to dedication to a just and lasting peace, to an end to the arms race and to disarmament with effective inspection and controls so that all mankind can enjoy more of the good things in life in a safer world, and to a win policy of freedom over communism, all Members of the Senate—whether they vote for or against ratification—are on common ground. It would be dishonest and unfair for anyone to say or to imply that because a Senator votes for ratification of the treaty, he believes in peace at any price. And it would be equally unfair and dishonest for anyone to say or to imply that because a Senator votes against ratification of the treaty, he is in favor of nuclear war and nuclear fallout.

The second thing of which I am sure is that this is not a clear-cut decision we are about to make. Anyone who thinks that a decision for ratification or against ratification is obvious, or that the evidence is overwhelming one way or the other, either has proceeded from false premises or simply has not done his homework. Practically all the evidence has been opinion evidence rather than factual evidence. Opinions have been couched in such terms as "may" or "might," "could or should," "possibly" or "probably," and the like. I know that some have made the suggestion that there is more evidence on the side of ratification than on the side against it.

Whether this is true or not, I would not say. In any case, it is the quality and not the quantity of the testimony, it is the quality and not the number of witnesses that matters.

THE MOLDING OF PUBLIC OPINION

I regret to point out that calculated efforts have been made by some people favoring ratification of the treaty to artificially mold public opinion in favor of ratification. These efforts have apparently succeeded, for I note from the Harris Survey poll which appeared on the front page of a local newspaper on Monday that the public is supposed to be 4 to 1 for the treaty. One wonders how deep the survey went and, particularly, how well informed those who were questioned really were. If the question were stated: "Do you favor the test ban treaty, assuming that it will not adversely affect the security of our country?", that would be one thing. If the question were stated: "Do you favor the test ban treaty, with the understanding that it could adversely affect the security of our country?", that would be another.

If the results of such a poll are supposed to cause a Senator to vote for a treaty which he conscientiously believes to be contrary to the interests of his country, I think it renders a disservice to the people of the United States.

In this connection, I believe it is most unfortunate that those who gave Ambassador Harriman his instructions with respect to the treaty negotiations failed to see to it that the treaty provide that until the parties to the negotiation—the United States, Great Britain, and the Soviet Union—had all ratified the treaty, no other country would be permitted to join in the treaty. As a result of this failure, most of the other nations of the world have, with little or no deliberation, signed the treaty—and I suppose most of them will also ratify it. Many of these nations are numbered among the neutral nations, some of which have little understanding of the nature of Communist imperialism and some of which were quite ready to condemn the United States when it resumed testing in the atmosphere in 1962 and strangely silent on condemnation of Soviet Russia's breach of the moratorium in 1961 following years of secret and deceitful preparation. Most of these nations may think they have everything to gain from the treaty and nothing to lose, when they should realize that their future security and freedom depends on the capability of the United States to deter Communist aggression.

The U.S. Senate is now being given the argument that inasmuch as all of these other nations have signed the treaty, it would be harmful to the prestige of the United States if the Senate refused to ratify it. If the prestige of the United States has fallen so low that failure to ratify this treaty—if it threatens the security of the United States—will cause great and irreparable damage to our reputation as a peace-loving Nation—after thousands upon thousands of our men and women have given their lives in the cause of freedom, after the people of this country have paid out over \$100 billion in foreign aid to the less fortunate

16492

CONGRESSIONAL RECORD — SENATE

September 18

nate members of the world community, after the United States has poured millions of dollars into the United Nations to keep it alive while the Soviet Union has amassed a delinquency of almost \$54 million of the total outstanding delinquencies of \$102 million, then I would say that our friendship with the other nations of the world hangs by a very slender thread. And if the U.S. Senate is supposed to ratify a treaty mainly because it is suggested that to do otherwise would adversely affect world opinion, then the constitutional power to advise and consent has been reduced to an empty gesture. And, I might add, if such a consideration is supposed to tip the scales of the Joint Chiefs of Staff in their recommendation regarding a treaty, they have been wrongfully placed in a position unbecoming the top military leaders and advisers of this country.

MY DECISION

Some of my brothers have said that the question to be answered is this: "Is this treaty in the national interest?" But no one really knows whether it is. No one really knows whether or not it is a first step in the right direction. No one really knows whether it is a shaft of light in the darkness or whether we just think we see one. The question to me is more properly this: "Will the failure to ratify this treaty be more harmful to the national interest than will its ratification?" I have concluded that it will, and I shall therefore vote for ratification. I might add that I may support one or more reservations which may be offered to the resolution of ratification; but their adoption or rejection will not affect my decision to vote for ratification.

My reasons for my decision are briefly these, and I shall have more to say about them later:

First. I am persuaded that the risks relative to our military power now and in the future are acceptable when considered in light of the safeguards prescribed by the Joint Chiefs of Staff which the President of the United States has committed himself and his administration to follow, accompanied by the clean withdrawal provisions set forth in the treaty.

Second. Failure to ratify the treaty is more likely to lead to more nuclear testing in the atmosphere and more nuclear fallout than will ratification; although it is highly unlikely that in either event will either the United States or the Soviet Union permit themselves or other nations to contaminate the atmosphere beyond scientifically established limits of safety.

Third. Failure to ratify the treaty is more likely to lead to proliferation of nuclear weapons to other nations than will ratification.

Fourth. Due to faulty negotiation of the treaty in not requiring ratification first by the United States, Great Britain, and the Soviet Union before permitting other nations to join, we have been placed in a position as a result of which failure to ratify would cause considerable embarrassment to the President of the United States before the rest of the world, thus adversely affecting our leadership of the free world.

Fifth. Within reasonable limitations, we have a moral obligation to keep trying for better relations with the Soviet Union in our efforts to secure a just and lasting world peace.

There are some disadvantages under the treaty, aside from the military risks which I have termed "acceptable" under the safeguards prescribed by the Joint Chiefs of Staff. They are serious and harmful, or at least potentially harmful, to our national interest. But I have concluded that they are outweighed by the above five considerations. I shall discuss them in fuller detail later, but briefly they are:

First. Under the safeguards prescribed by the Joint Chiefs of Staff, which have really become a part of the treaty so far as we are concerned, the arms race will be stepped up and so will our costs of national defense—at least insofar as they relate to nuclear testing and weaponry.

Second. Peaceful uses of nuclear explosions will be impeded.

Third. There is danger that the American people will become so hypnotized over the thought that the Communist leaders in the Kremlin sincerely want peace—as we interpret that word—that they will let down their guard.

Fourth. In the face of the Soviet Union's attempt to install nuclear missiles in Cuba, the Gromyko lie to the President of the United States, Premier Khrushchev's failure to carry out his commitment for on-site inspection in Cuba under United Nations auspices and his further failure to carry out his commitment to withdraw all Soviet troops from Cuba, the brazen attempt by the Soviet Union to bankrupt the United Nations, continued Soviet-sponsored subversive activities in Latin America, the Middle East, and Africa, and not one significant deed whatsoever to relieve international tensions or to indicate any change in a policy of lying, cheating, subversion, and aggression—all occurring after our previous offers to negotiate a treaty similar to this one, our negotiation and ratification of this treaty now, represents a policy of accommodation rather than a policy of firmness towards communism.

MILITARY RISKS

It would be well to remember that the Joint Chiefs of Staff clearly recognized certain military disadvantages under the treaty. These include the permanizing of the Soviet lead in so-called high-yield nuclear weapons, the Soviet lead in information about high-yield weapons effects, including radiation and blackout effects on communications and missile control systems, the opportunity for the Soviets to catch up to our lead in tactical nuclear weapon technology, and the deprivation of our opportunity to prove the effectiveness of an anti-missile defense system which we may develop. With a view to bringing these disadvantages to a level of acceptability, they prescribed four safeguards as conditions unequivocally necessary to their very cautious approval of the treaty. These conditions are absolute, and they are to continue indefinitely into the future until such time, at least, as a comprehensive nuclear test ban treaty, covering under-

ground testing, with completely adequate inspection and control provisions, may be negotiated. The safeguards are as follows:

First. The conduct of comprehensive, aggressive, and continuing underground nuclear test programs designed to add to our knowledge and improve our weapons in all areas of significance to our military posture for the future.

Second. The maintenance of modern nuclear laboratory facilities and programs in theoretical and exploratory nuclear technology which will attract, retain and insure the continued application of our human scientific resources to these programs, on which continued progress in nuclear technology depends.

Third. The maintenance of the facilities and resources necessary to institute promptly nuclear tests in the atmosphere, should they be deemed essential to our national security, or should the treaty or any of its terms be abrogated by the Soviet Union.

Fourth. The improvement of our capability, within feasible and practical limits, to monitor the terms of the treaty, to detect violations, and to maintain our knowledge of Sino-Soviet nuclear activity, capabilities, and achievements.

In his letter, dated September 10, 1963, to Senators MANSFIELD and DIRKSEN, the President of the United States committed himself and his administration to the "unqualified" and "unequivocal" fulfillment of these safeguards. There is some question about whether these safeguards can, indeed, be met, for one must recall the President's speech of March 2, 1962, announcing resumption of nuclear testing, when he said:

We must test in the atmosphere to permit the development of those more advanced concepts and more effective, efficient weapons which, in the light of Soviet tests, are deemed essential to our security. Nuclear weapon technology is still a constantly changing field. If our weapons are to be more secure, more flexible in their use and more selective in their impact—if we are to be alert to new breakthroughs, to experiment with new designs—if we are to maintain our scientific momentum and leadership—then our weapons progress must not be limited to theory or to the confines of laboratories and caves.

This point was raised at the President's news conference on September 13, 1963; and he was asked what had happened since March 2, 1962, to change his mind about this. His response was:

I believe that what I was talking about then was a comprehensive test ban treaty.

But he was not. He was talking about the massive Soviet tests in the atmosphere, following their breach of the moratorium, and he was justifying our resumption of testing in the atmosphere. Note the statement, "We must test in the atmosphere" which I just quoted. And this statement was preceded earlier by the following statement:

The fact of the matter is that we cannot make similar strides [to those of the Soviets] without testing in the atmosphere as well as underground. For in many areas of nuclear weapons research we have reached the point where our progress is stifled without experiments in every environment.

1963

CONGRESSIONAL RECORD — SENATE

16493

So the President has not yet answered the very timely question put to him by a member of the press; and until he does, I am sure many will wonder how well the safeguards of the Joint Chiefs will be met. Only time will tell; and, in any event, the withdrawal provision of the treaty ultimately provides an "out."

I think it appropriate to point out that valuable testimony was provided against the treaty by some of our outstanding military leaders, such as Gen. Thomas Power, commander of the Strategic Air Command; Gen. Bernard Schriever, commander of the Air Force Systems Command; Adm. Arthur W. Radford, former chairman of the Joint Chiefs of Staff; Gen. Nathan Twining, former Chairman of the Joint Chiefs of Staff; and Admiral Strauss, former Chairman of the Atomic Energy Commission. They were reinforced by such outstanding and thoroughly knowledgeable scientists as Dr. John S. Foster, Director of the Lawrence Radiation Laboratory, Livermore, Calif.; and Dr. Edward Teller, whose wisdom and courage to stand practically alone gained for him the name "father of the H-bomb." The noted aeronautical consultant, Alexander P. deSiversky, also testified in opposition to the treaty. I may add that most of Dr. Teller's splendid testimony and powerful logic were confined to the field of nuclear science and nuclear weaponry, in which he has no peer—and not, as some treaty proponents erroneously say, to the field of international politics. In this connection, I believe the point made by the able Chairman of the Preparedness Subcommittee was extremely well taken:

If the proponents of the treaty would discount Dr. Teller's testimony in the political field, why should not the testimony of the Joint Chiefs of Staff in the political field be discounted, too?

Mr. SIMPSON. Mr. President, will the Senator from Iowa yield?

Mr. MILLER. I am glad to yield.

Mr. SIMPSON. Will the Senator from Iowa advise me whether he will address himself to the fallout problem?

Mr. MILLER. Yes; I shall do so very shortly.

Mr. SIMPSON. I thank the Senator.

Mr. MILLER. Mr. President, we should add to the conclusions. I have already listed the conclusions and major findings of the Preparedness Subcommittee:

1. From the evidence we are compelled to conclude that serious—perhaps even formidable—military and technical disadvantages to the United States will flow from the ratification of the treaty. At the very least it will prevent the United States from providing our military forces with the highest quality of weapons of which our science and technology is capable.

2. Any military and technical advantages which we will derive from the treaty do not, in our judgment, counterbalance or outweigh the military and technical disadvantages. The Soviets will not be similarly inhibited in those areas of nuclear weaponry where we now deem them to be inferior.

This is powerful evidence, Mr. President, and it has not been refuted. It could not be refuted, because it represents opinion evidence, and the evidence in opposition to it and in favor of the

treaty from other knowledgeable people is also opinion. In my judgment, it is of just as high quality as the opinion evidence on the other side—possibly even superior to it. However, I am persuaded that fulfillment of the safeguards prescribed by the Joint Chiefs of Staff, coupled with the treaty's withdrawal provision, keeps these military disadvantages and risks at an acceptable level.

Let me say a word about the treaty's withdrawal provision. Article IV of the treaty provides that each party shall in exercising its national sovereignty have the right to withdraw from the treaty if it decides that extraordinary events, related to the subject matter of this treaty, have jeopardized the supreme interests of its country. It will not be easy for the United States to exercise this prerogative. People who have been seized with the debilitating disease of euphoria will talk about world opinion. It will take a courageous President and a courageous Congress to do what must be done.

NUCLEAR FALLOUT

To put this point in perspective, one should recall the words of the President at the time he directed the resumption of testing in the atmosphere in 1962. He said:

It has been estimated, in fact, that the exposure due to radioactivity from these tests will be less than one-fiftieth of the difference which can be experienced, due to variations in natural radioactivity, simply by living in different locations in this country. This will obviously be well within the guides for general population health and safety, as set by the Federal Radiation Council.

Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission, stated that he did not rate the fallout problem as great as some of the other reasons for the test ban. He stated that he knew of no particular case of leukemia or bone cancer or things of that kind or mutation which could be scientifically attributed to worldwide fallout, and mentioned only "one or two freak cases of local fallout." He acknowledged that the most skilled scientific evidence of geneticists was that their best estimate of the number of cases of leukemia and bone cancer caused by natural radiation—not by man-made radiation or fallout—is, in the case of leukemia, from zero to 84,000 cases and, in the case of bone cancer, from zero to 14,000 cases; and that the zero means they still cannot trace even one case. With reference to such reputed hot spots as Utah, he indicated that he would not use the word "danger" to describe the amount of concentration of radioactivity.

Nevertheless, in view of the present state of our scientific knowledge on fallout, I do not believe anyone would question the desirability of minimizing it or eliminating it entirely. Dr. Teller emphasized that we should try to limit radioactivity in the air—preferably by an international agreement which could be drawn in a way to permit needed tests for military and peaceful applications.

Failure to ratify this particular treaty, of course, does not mean that our air is going to be polluted by nuclear fallout. The President, in his commencement

speech in June at American University, said:

I now declare that the United States does not propose to conduct nuclear tests in the atmosphere so long as other states do not do so. We will not be the first to resume.

I would question that this commitment was cleared with the Joint Chiefs of Staff, but, in any event, it represents our present policy which would continue if the treaty is not ratified. So proponents of the treaty can hardly argue that if the treaty is not ratified the United States is going to cause more nuclear fallout. It is true that the Soviets might be the first to resume, but they will resume with or without a treaty, when and if they think it is to their advantage to do so. The Secretary of State has made this abundantly clear. As far as France and Red China are concerned, they are having nothing to do with the treaty anyhow, so their eventual testing in the atmosphere will very likely occur anyhow. If it does, it would be highly unlikely that they would cause any more fallout than did our tests in 1962, with respect to which the President clearly indicated there would be no danger. The prospect of other nations engaging in atmospheric testing in the foreseeable future is small, and to a degree greater than our 1962 series. I would conclude that it is minute. Nevertheless, it must be concluded that ratification of the treaty will have a tendency to prevent fallout more than failure to ratify. And this being so, I am persuaded that an area of mutuality between the United States and the Soviet Union exists. Let it be made clear, however, that the United States need be no more concerned about the problem of fallout than the Soviet Union.

A comparison might be made to the situation of water pollution of a river between two States. The water, as most drinking water is, may be polluted to a degree far below a point endangering the public in each State. Nevertheless, there would be a mutual interest on the part of the people of these States to undertake not to pollute the river further, particularly if scientific knowledge with respect to the ramifications of water pollution was not clearly established.

Mr. THURMOND. Mr. President, on the question of fallout, will the Senator yield?

Mr. MILLER. I am more than happy to yield to the Senator from South Carolina.

Mr. THURMOND. The Senator has brought out some valuable information indicating a lack of danger from fallout. I wonder if I overlooked his statement, or whether he brought out the testimony of Dr. Foster. I do not recall that he did.

Mr. MILLER. No. The Senator from Iowa did not allude to the testimony of Dr. Foster. If the Senator from South Carolina deems it material, I should be more than happy to have him point it out at this time.

Mr. THURMOND. I call attention to the testimony of Dr. Foster, which appears on pages 632 and 633 of the hearings before the Committee on Foreign Relations. At that point I propounded

16494

CONGRESSIONAL RECORD — SENATE

September 18

some questions to Dr. Foster on that subject:

RADIATION FROM NATURAL BACKGROUND

Senator THURMOND. Dr. Foster, on the question of the fallout to which Senator Byrd referred to a few moments ago, that seems to be the question that is disturbing a great many people today who tend to favor the treaty where otherwise they might be against it.

On this question, if I recall correctly, last week or the week before some scientists made the statement that one would get more radiation from living in the mountains of Colorado than from fallout.

Dr. FOSTER. That is correct, sir.

Senator THURMOND. That is correct.

I believe it is also true that one living in a brick house would get 20 times more radiation than he would get from fallout.

Dr. FOSTER. Well, sir, there you are ahead of me. I do not know that because—

Senator THURMOND. Mr. Earl Voss, I believe, brought that out in his book "Nuclear Ambush."

Dr. FOSTER. Yes.

Senator THURMOND. And one wearing a wristwatch with a luminous dial, as I have on here, would get 10 times as much radiation as he would get from fallout.

Dr. FOSTER. I am familiar with the arguments, sir. I do not know that a wristwatch—

Senator THURMOND. Does that sound reasonable? In other words, do those statements sound reasonable to you?

Dr. FOSTER. It is true that natural background is large compared with the additional activity, radioactivity, associated with fallout from all past tests.

Senator THURMOND. Isn't it a matter of fact that the fallout mentioned by some of those who favor this treaty, the propaganda that is being disseminated and the bugaboo that is being raised, that the fallout is imperceptible, and is of little consequence?

Dr. FOSTER. I think, sir, that the problem or the question of fallout is of insignificance, of little significance, compared to the major issue with which the development of warheads is attempting to deal.

Senator THURMOND. What people want to know is this: We have been reading about fallout, fallout in milk, and fallout in food and resulting injury to the future generation. Is it possible for this fallout to bring about sterility and various other reactions?

I just want to ask you whether you feel that there is danger to people's health from the little fallout radiation resulting from the tests we have conducted?

Dr. FOSTER. No, sir.

Senator THURMOND. Your answer is "No"?

Dr. FOSTER. My answer is "No."

Senator THURMOND. Thank you.

I call that to the distinguished Senator's attention because it is on a subject on which he has elaborated and brought out valuable information. I observe these words in the report of the Foreign Relations Committee:

It is generally agreed that radiation from fallout amounts to considerably less in terms of human exposure than normal background radiation. Moreover, informed opinion appears to be that the radioactive fallout produced to date has remained well below a level at which it might be deemed hazardous.

There has been much talk about fear of fallout. I felt that the public ought to know the facts about it. I commend the Senator for bringing out the information he has given the Senate. I add the additional information.

I wish the public to know that the danger of fallout is so minimal and insignificant, as stated by Dr. Foster, as to

be little detrimental from the standpoint of health, so as to fade into insignificance when compared with the great purpose of keeping this country prepared.

As the Senator knows, since he is a distinguished officer in the Air Force Reserve, the only language the Communists understand is power. It will be power which will preserve and protect this country. In my judgment, we must continue the tests.

I believe the tenor of the Senator's speech is that many questions are still unanswered. I believe the Senator is not satisfied with everything. I can readily understand why he is not, because we know the Communists are ahead of us in high-yield weapons, and we know they are ahead of us in the development of an anti-ballistic-missile system. We know we cannot catch up with them or become superior to them in these fields unless we test in the atmosphere. That is the only way we can ever definitely know, because no weapon can be used with assurance by anyone until it has been tested in the environment in which it must function.

We can test underground. We can make gains with underground testing. We can possibly make some accomplishments underground. But we shall never be able to be assured that a weapon will function properly and do what we expect it to do until it is tested in the environment in which it must function.

I am sure the Senator agrees with that.

Mr. MILLER. I thank the distinguished Senator from South Carolina for his comments. In the light of past scientific evidence, which is available, I find it inconceivable that the President of the United States would have directed the resumption of nuclear testing in the atmosphere in 1962 without being able to conclude that the fallout resulting from the tests would be far below the danger point, as he pointed out in the statement which I have quoted from his speech.

Mr. THURMOND. The distinguished Senator quoted from the President's statement. Was that the statement of March 2, 1962?

Mr. MILLER. The Senator is correct.

Mr. THURMOND. That statement indicated that there was little, if any, danger from fallout. That was the effect of the statement, as I construed it. Is that the manner in which the Senator construed it?

Mr. MILLER. That is correct. It amounted to about one-fiftieth of the difference in radiation we might expect from moving around from one part of the country to another.

I cannot conceive of any President de-luding the people by making a statement like that if he had scientific knowledge that danger would be involved.

This does not mean, of course, that as time goes on there may not be an accumulation of radioactive fallout resulting from continued testing. It does not mean that there may not be some pockets of fallout—some "local nuclear fallout," in the term used by Dr. Seaborg—which may have serious effects. This is recognized. I pointed it out.

It is well to put the argument of the proponents of the treaty into proper perspective. I granted it a plus in my analysis of the treaty; I find other points in favor of the treaty of much greater persuasion.

Mr. THURMOND. As the debate has proceeded I have been impressed by the fact that some who originally stressed the fallout question as the big danger or the "big bear," so to speak, are now beginning to see that this factor practically fades into insignificance.

Mr. MILLER. I thank the Senator from South Carolina.

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

Mr. MILLER. I yield.

Mr. HOLLAND. I know the Senator from South Carolina has correctly quoted a portion of the report of the able Committee on Foreign Relations ending with the conclusion:

It is generally agreed that radiation from fallout amounts to considerably less in terms of human exposure than normal background radiation. Moreover, informed opinion appears to be that the radioactive fallout produced to date has remained well below a level at which it might be deemed hazardous.

I also know that we do not expect through the action contemplated to diminish the radiation already in the atmosphere. I know that many people are greatly concerned about increasing the amount of radiation. I am glad the distinguished Senator from Iowa has referred already to what might occur from increased testing, which has caused deep concern.

I should like to read some further language from the report of the Foreign Relations Committee which immediately follows the quotation read into the Record by the distinguished Senator from South Carolina.

But it is also clear, as the Chief of the Division of Radiological Health of the U.S. Public Health Service said in June of this year: "Fundamental is the hypothesis that any amount of radiation exposure involves some risk in exposed population groups." Geneticists have shown greater and more specific concern.

It is feared that continued, or stepped up, atmospheric nuclear testing would increase the damage, genetic and otherwise, induced by increased exposure by population groups to radiation. The treaty, in halting the release into the atmosphere of radioactive fallout, offers a distinct benefit.

The Senator from Florida knows something of the wrestling of conscience and mind through which the Senator from Iowa has gone. The Senator from Florida has shared that wrestling. As a matter of fact, he has had the pleasure of conferring with the Senator from Iowa. He knows that both of us have been trying to find what course offers the greatest advantage to our country in this situation.

It seems to me that the fact that the Russians exploded 71 of these bombs in the late 1961 and early 1962 period, and that many of those bombs were much greater in size than anything we had ever exploded in the atmosphere, and that those bombs were known to be dirty—that is, to carry a very much greater menace from the standpoint of

1963

CONGRESSIONAL RECORD — SENATE

16495

radioactive fallout than would have been the case if they had been clean—indicates rather conclusively that we cannot, in considering this matter, regard our own preferred moderation in testing as the sole amount of testing which would ensue if a halt were not called. In view of the known excessive atmospheric tests just referred to by me, does not the Senator from Iowa believe that we are confronted with this reality that the Russians do have the same willingness to test in great amounts in the atmosphere, or to test with other than clean bombs in the atmosphere that we recognize and insist upon in the testing conducted by our own country?

Mr. MILLER. In answer to the question by the distinguished Senator from Florida, let me say that his very persuasive statement earlier in the debate last week on this very point is one of the points which convinced me on this very subject. The Senator from Florida pointed out the possible mutuality of interest between the Soviet Union and the United States which could exist on this point. He did it so persuasively that I put it in my address. I wanted to observe that this was not my original thinking. I derived this beneficial approach to the problem from the Senator from Florida. I thoroughly agree with the observation. However, I think I should emphasize that the mere failure to ratify the treaty would not necessarily lead to more testing in the atmosphere, because, as I pointed out, the policy of the President of the United States, as announced at American University early in June, is still the policy of our country, namely, that we are not going to be the first to resume testing. If the Soviet Union decides to test in the atmosphere, it will do so whether there is a treaty or not. But there is a mutuality of interest which can exist in this area, and I think it is a plus in favor of ratification.

Mr. HOLLAND. I agree completely with the statement of the distinguished Senator. I think there is a reasonable prospect that the Russians will have somewhat the same regard for their children of this generation and children yet to be born that we have for children. In this one field, and perhaps in others, there is some real opportunity for arriving at a mutuality of interest that does not exist in many other fields. That is one of the compelling arguments which has persuaded me to feel that our Nation can, with safety and in good conscience, ratify the treaty.

I thank the distinguished Senator from Iowa for yielding to me.

Mr. MILLER. I thank the Senator for his comments.

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

Mr. MILLER. I yield.

Mr. THURMOND. Naturally, we all have concern about fallout. We wish to take no undue risk in this connection. I should like, however, to quote at this time a very interesting statement by Dr. Teller. This is what he said:

This argument, while it sounds simple and plausible, is wrong. Fallout has so small an effect that nobody ever has observed it. And nobody knows either from direct ob-

servation, or from statistics, or from any valid theory whether the claimed damages in fact exist or do not exist. I want to talk about that a lot more, because talking about the effects of various doses of radiation leads us immediately into an interesting field of research which should be important for all of us. The plain fact is that we do not know what are the effects of small doses of radiation.

We have heard that fallout produces a terrific genetic burden. To begin with, radiation from fallout is only 1 percent of the radiation which we are getting anyway.

Fallout is not dangerous. But the fallout scare is. Many people know that a medical X-ray gives you 100 times as great a dose as fallout will give you in your whole lifetime. How many people have been scared away from X-rays? How many people have gone with their ailments unrecognized and untreated, only because there has been this needless and exaggerated fallout scare? I don't know. I don't know whether anybody has been killed by fallout, but I am sure that many have been killed by the fallout scare.

In the hearings Dr. Foster testified that a man living in the mountains of Colorado would normally receive more radiation than he would from fallout—showing the greatly erroneous opinion that has been circulated about fallout, which has produced a great scare on the part of some people.

Naturally, we are all concerned about fallout and, everything that affects the health of our people; but there is no evidence to support the judgment that some have claimed in the fallout field, as shown by what Dr. Teller said, and as shown by what Dr. Seaborg said in response to a question from the Senator from Georgia [Mr. RUSSELL], which I believe the distinguished Senator from Iowa brought out in his address.

Mr. MILLER. I thank the Senator from South Carolina. I am not denying the sincerity or conscientiousness of those who have indulged in a great deal of pessimistic talk about fallout. Some of our own colleagues in the Senate have made extensive statements along these lines. I am not denying their sincerity, but I believe they are overemphasizing something without any scientific data to support such an argument at this time.

PROLIFERATION OF NUCLEAR WEAPONS

Under the treaty, there is nothing to prevent any of the parties from assisting any other nation in underground testing. If, for example, the Soviet Union and Red China should settle their apparent differences, the Soviet Union could not only assist Red China in underground testing but transfer nuclear weapons to Red China. The mere transfer of nuclear weapons which, of course, would supposedly never be used except in self-defense, is not prohibited by the treaty. Moreover, since neither France nor Red China will have anything to do with the treaty and are clearly pointed to developing their own nuclear capability, it is obvious that the treaty will not prevent the proliferation of nuclear weapons.

Nevertheless, by preventing testing in the atmosphere and thus forcing nuclear development through more expensive underground testing in other countries, the treaty will tend to "retard"

the proliferation of nuclear weapons. And this being so, I am persuaded that an area of mutuality between the United States and the Soviet Union exists. Again, let it be made clear that the United States need be no more concerned about proliferation of nuclear weapons than the Soviet Union.

EMBARRASSMENT TO THE PRESIDENT

Due to what I would charitably term "faulty" negotiation, the U.S. Senate has been placed in a position of being pressured to vote for the treaty to save the President of the United States from the embarrassment he would suffer in the eyes of the world should the treaty be rejected. Regardless of party, no one should wish to see this happen. He is the leader of the free world. His prestige—at least in international affairs—falls naturally upon our country; just as his loss of prestige would also fall upon our country. Unless security risks are unacceptable, we should not permit this to happen.

Nevertheless, I think it would be remiss if I did not point out that this unfortunate situation is largely of the President's own making. Although article II, section 2, of the Constitution of the United States provides that the President shall have the power to make treaties, it clearly provides that this shall be "by and with the advice and consent of the Senate." Although there was some informal discussion with some of the members of the Senate Foreign Relations Committee about the proposed treaty, the committee's report does not indicate that a consensus of the members was obtained. There is no indication that our representatives in the negotiations made any effort at all to persuade Premier Khrushchev to live up to his promise of removing Soviet troops from Cuba or to follow through on his agreement to permit on-site inspection of Cuba under United Nations auspices—as a prelude to signing of the treaty. And yet, when the Senator from Arizona [Mr. GOLDWATER] offers a reservation to condition the effective date of the treaty on the withdrawal of Soviet troops from Cuba, he is met with the argument that this should have been taken care of during the negotiations.

Furthermore, at the preliminary signing of the treaty in Moscow, there were widespread reports about Mr. Khrushchev's expectation that the next step would be a nonaggression pact between NATO and the Warsaw Pact countries; but as far as withdrawal of Soviet troops from Cuba and on-site inspection in Cuba, both previously promised by Premier Khrushchev, our representatives stood mute.

If the failure to negotiate a provision requiring ratification of the United States, Great Britain, and the Soviet Union first before permitting other nations to join was due to oversight, it might well have been avoided if more effort to obtain the advice of the Senate had been sought. Not having sought it, matters are not made any easier now by suggestions of some administration spokesmen that "with all the other nations having joined in signing the agree-

ment," the Senate must ratify the treaty or the United States will suffer a loss of face. The unfortunate failure to seek more advice of the Senate is thus compounded by reducing the Senate's consent to one of bailing out the executive branch of the Government from an embarrassing situation. This is not the only argument in favor of ratification of the treaty, of course, but I do not believe the foundation should ever have been laid for it. Now that the situation is as it is, it becomes an important consideration which is most difficult to view objectively.

In the negotiation of any future treaties or amendments to this particular treaty, I trust that this situation will never be repeated.

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

Mr. MILLER. I yield.

Mr. THURMOND. The point has been raised about the impression over the world, and the loss of face that we would suffer in other nations of the world. Does not the Senator feel that sometimes we go too far in taking action in this country, because we feel we might not make the best impression on other countries of the world?

Should we not do what is right for our people? Is not our first obligation to our people and to our country? Should we not do that, instead of always wondering what impression we will make on Communist nations and so-called neutralist nations, a great many of which are pro-Red, to say the least?

Mr. MILLER. I have had the uneasy feeling for a number of years, increasingly so in recent years, that there has been a tendency to talk too much about world opinion when a subject relates to the security of the United States.

The Senator from Iowa felt very much reassured when the President of the United States, on March 2, 1962, announced the resumption of testing in the atmosphere. This was not an easy decision to reach. The Senator from South Carolina will recall that immediately there were outcries from some of the so-called neutral nations, about the U.S. resumption of atmospheric testing, although they were very quiet about the Soviet breach of the moratorium in 1961.

Mr. THURMOND. They had practically nothing to say.

Mr. MILLER. That is correct. I am quite sure that some people in this country brought heavy pressure to bear upon the President of the United States to cause him not to resume testing. Fortunately, wiser counsel prevailed; and I am quite sure that he was persuaded that we had to resume testing to preserve our national security.

There still seems to be too much attention being paid to world opinion. The fact that some of the proponents of the treaty have emphasized this so much, after the faulty negotiation of the treaty, makes it extremely difficult for the Senator from Iowa to view this point objectively.

If we were not concerned about the seriousness of this problem, it would be easy to be tempted to say that the President's negotiator in Moscow made a blunder, that he was careless as a nego-

tiator; and that being the case, if the President is to be embarrassed, let him be embarrassed.

I do not believe a Senator should act that way. As I say, it is a difficult matter to view objectively. We have a bad situation, and I believe that, absent undue risks, we should do something about it.

I recognize that the able Senator from South Carolina, differs with me with respect to the acceptability or nonacceptability of the military risks. However, if one can conscientiously arrive at a conclusion that our military security is not to be unduly risked, the bailing out of the President from an embarrassing situation is something which, regardless of party, we ought to attempt to do.

Mr. THURMOND. Is it not a fact that some of the very countries to which we have granted foreign aid, either through grants or loans, or in some other way, have severely criticized some of our actions?

Mr. MILLER. Indeed it is. It is also true that I have been making the point for some time that most of the nations which have joined on the treaty are delinquent in their obligations to the United Nations.

The United Nations is now in debt to the extent of about \$104 million. It is faced with bankruptcy. More than 2 years ago I pointed out that the day was coming when this would become the toughest problem before the United Nations. That is what it was called last fall. The United Nations still has not solved the problem, and it will not solve it unless a majority of the members of the United Nations face their obligation of paying up what they owe to the U.N. The Soviet Union, owing \$54 million, is the worst deadbeat of them all.

Nations which are not willing to pay their obligations, some of them trifling, have received foreign aid from the United States to the extent of millions of dollars in excess of what they owe the United Nations, and I am sure they would be the first to say what a terrible thing it was for the President to negotiate this treaty and then not follow through and deliver on it.

This is unfortunate, but it is a fact of life. We should try to encourage more nations, particularly those which have been the recipients of our people's tax money, to take a more realistic view of these activities and conduct themselves as friends in deeds rather than as friends in words. But the situation being as it is, I would feel bad if any President were to suffer great embarrassment. I am persuaded that that is what would happen under the situation that now exists.

Mr. THURMOND. I feel that the able Senator from Iowa would have more respect for some of those countries if they did not call upon us for aid and would pay their dues to the United Nations.

In the past, the United States has granted aid to 104 of the 112 nations. Even now, for fiscal year 1964, we have requests to grant aid to 100 of the 112 countries. Since World War II, the United States has granted aid to other countries to the extent of \$121 billion

plus interest. Yet some of those countries are willing to jump down our throats at the least provocation.

It seems to me that the most important thing we could do for the free world, and even for other countries, would be to keep so strong that we would not be attacked, because the United States is the only nation that stands between communism and the free world. We should remain so powerful that there will not be a temptation to attack the United States. By doing so, we stand our best chance, I believe the Senator from Iowa will agree, to avoid a war—an all-out nuclear war—in which there would really be radioactive fallout in addition to the destruction of millions of lives.

Mr. MILLER. The Senator from South Carolina is correct. As I stated earlier, some of the nations which have joined in the treaty would be the first to suffer if the United States were unable to maintain its deterrent posture with respect to Communist aggression.

Mr. THURMOND. I thank the able Senator from Iowa.

Mr. MILLER. I thank the Senator from South Carolina.

A MORAL OBLIGATION TO KEEP TRYING

Mr. President, I come now to my final reason for reaching my decision, that is, the moral obligation to keep trying.

Once the hurdle of acceptability of military risks is cleared, the one really compelling reason to vote for ratification was advanced by the Secretary of State when he said:

We should never reach the point of giving up trying to work out better relations with the Soviets.

I recognize the feeling of frustration when people write to me and say:

Senator, after all the United States has done to try to develop better relations with the Soviet Union, and after all the Soviet Union has done to undercut us with their lies, their cheating, their subversion, their aggression, their creation of international tensions, why should we do anything more? Let them make the first step now—and we mean a first step in deeds, not just words on a piece of paper.

That is difficult to answer. Indeed, they may have the answer, because their approach—to demand some meaningful first step on the part of the Soviets first—may well be the surest way to achieving better relations with them. In any event, the only answer that can properly be given to the argument of the Secretary of State is one of timing—possibly requiring some meaningful first step by the Soviets to indicate a measureable change in policy. Inasmuch as the preamble to the treaty recites that the three major parties, including the Soviet Union, proclaim as their principal aim an agreement on general and complete disarmament under strict international control "in accordance with the objectives of the United Nations," it would seem that a reasonable first step for the Soviets to take to reassure us of their change in policy would be to pay up their some \$54 million in delinquencies to the United Nations.

It would be tragically unfair for anyone—outside the Senate or in the Senate—to condemn a Member of the Sen-

1963

16497

ate for insisting on some meaningful first step by the Soviets as a condition precedent to the treaty's effectiveness, just because that Senator felt that something more was required to evidence good faith than champagne and caviar parties, smiles, and bear hugs in Moscow.

It can be answered that the mutuality of benefits with respect to nuclear fallout and proliferation of nuclear weapons does not necessarily require such a meaningful "first step" to evidence good faith on the part of the Soviets. We stand to benefit anyhow. It is a fair answer, particularly when coupled with the point of saving the President of the United States from embarrassment. Accordingly, while I might be inclined to support a reservation providing for a reasonable condition precedent to the treaty's effectiveness, the failure of such a reservation's adoption would not cause me to vote against ratification of the treaty itself.

DISADVANTAGES UNDER THE TREATY—A STEPUP IN THE ARMS RACE AND IN COSTS OF NATIONAL DEFENSE

It is erroneous to think of the treaty standing by itself. It must be thought of as coupled with the absolute adherence to the safeguards prescribed by the Joint Chiefs of Staff. These will mean an expanded program of expensive underground testing which will more than offset the costs of testing in the atmosphere, in outer space, and underwater, which will be prohibited. Not being able to obtain more high-yield weapons effects information will require additional "hardening" of our missile sites to provide for a margin of safety and greater deployment of even more missiles to insure an adequate second strike force against a possible "blackout" and other effects of which we do not possess adequate knowledge. We will continue to try to develop an effective antimissile defense system, and not to expect the Soviets to do so would be foolish indeed. Moreover, the Soviets can be expected to step up their underground testing in an effort to catch up to us in the tactical nuclear weapons field. As Walter Lippmann wrote in the August 22 issue of the Washington Post, of course the race of armaments will continue under the treaty. The well-known physicist, Dr. Leo Szilard, testified that if the United States proceeds with an extensive program of underground bomb testing, then, rather than furthering the cause of peace, the test ban agreement would be likely to do just the opposite.

But the United States will proceed with an extensive program of underground nuclear testing, because this is one of the safeguards proposed by the Joint Chiefs of Staff; and the President has unequivocally committed his administration to doing so.

There is a great deal of merit in what Dr. Szilard says, and one would be invulnerable to fair criticism for voting against ratification for this reason.

In any event, a realistic appraisal of the situation makes it clear that a vote for ratification of the treaty, coupled as it is with the safeguards of the Joint Chiefs of Staff, is not a vote for a step down in the nuclear arms race but for a step up in the nuclear arms race and in

the costs of national defense. But there are two answers to this disadvantage under the treaty: First, the costs of defense to the Soviets will increase, too, so that there is some mutuality of disadvantage; and, second, this mutual disadvantage may pave the way for Soviet agreement on a comprehensive test ban treaty with fully adequate inspection and controls.

PEACEFUL USES OF NUCLEAR EXPLOSIONS WILL BE IMPEDED

Our plowshare program holds a great potential for the benefit of mankind. Through the use of nuclear explosives which produce little radioactivity and by placing them underground so that nearly all of the radioactivity is trapped, projects could be undertaken at a fraction of the cost required by conventional methods. We have been assured that under the treaty we can continue experiments, and, to the extent that detectable amounts of nuclear fallout do not go beyond our own territorial limits, application of these experiments to mining, recovery of oil and gas, water development, and the construction of harbors can be made. However, construction of a second Panama Canal and other applications which would entail detectable amounts of fallout beyond our own territorial limits cannot be undertaken.

It is unfortunate that the treaty was not negotiated in such a manner as to permit peaceful uses of nuclear explosions—at least to be conducted under an inspection system, involving the three negotiating countries, to permit verification that, indeed, the application of nuclear explosions is for peaceful purposes. It is to be hoped that an amendment along this line will be negotiated later.

THE DANGER OF EUPHORIA

No matter how powerful our military capability may be, it will be meaningless as a deterrent if our national will to resist aggression through the use of this capability is weakened. We are prone to think of the decay of a nation's moral fiber in terms of vice and corruption; but just as deadly to the moral fiber of our people would be a condition of euphoria—a false sense of well-being with respect to Communists, in general, and the Soviet Union, in particular. Nothing would better serve the purposes of the leaders in the Kremlin than to have a substantial number of our well-meaning citizens succumb to the smiles and soothing peace talk of Soviet psychological warfare, and become so hypnotized over the thought that the Communist leaders "sincerely" want peace—"peace" as they interpret that word, not as we interpret it; that is to say, the Communists regard "peace" as a condition under which Communist aggression can be continued without undue interference—that they will eventually fall into a state of mind which can best be described as "peace at any price" or "better Red than dead."

It is highly significant that the Secretary of State, the Secretary of Defense, and the Joint Chiefs of Staff emphasized the danger of euphoria, and one member of the Joint Chiefs of Staff expressed the opinion that under the treaty our national will probably will deteriorate.

There are two answers to this problem: First, it should be no more of a problem for the people of the United States than for the people of the Soviet Union. Second, the problem actually exists, whether the treaty is ratified or not; and although the problem may be accentuated if the treaty is ratified, it will be much more of a problem with respect to "follow-on" amendments to the treaty or other treaties and relationships with the Soviet Union. We might as well face up to the problem now; and it could be that the treaty, if it serves no other purpose, will serve our national interest by once again focusing public attention on the nature of communism and Soviet imperialism.

I believe that administration spokesmen who favor the treaty should be commended for making it clear that the treaty is, at most, only a very small first step toward improved relations with the Soviet Union, and that it is nothing to become wildly excited about. It stands as more of a symbol of hope for improved relations. Everyone agrees with its purpose to lay a foundation for improved relations; but there are honest differences of opinion over whether these will actually result from the treaty. Absent a concrete example of a change in Soviet intentions, the evidence is overwhelming that communism is not changing and that the Communist leaders in the Kremlin are not throwing off the shackles of their Communist ideology.

It would be well never to forget a few hard facts about communism:

First. Communists deny the existence of God, so that their "moral" code is not the same as ours. Unlike us, they believe that might makes right and that the end justifies the means.

Second. Communists—whether they live in the Soviet Union, in Red China, in the United States, or anywhere else—are dedicated to achieving one world of communism. Lying, cheating, subversion, and war are perfectly proper means to this end. It was a perfectly proper Communist tactic for Mr. Gromyko to lie to the President of the United States last October, when Mr. Gromyko declared that only "defensive" weapons were being supplied to Cuba.

Third. If and when a nuclear war were decided upon as a proper means to "bury" the United States, the leaders in the Kremlin would not hesitate to engage in a "preemptive"—first strike—war. Soviet military doctrine expresses no scruples over a first strike, if it would be decisive. Our Government recognizes this; and that is why we have a program for "hardening" our missile sites. But the following quotations from "Soviet Military Strategy," by V. D. Sokolovskii, marshal of the Soviet Union—translated by Rand Corp. and published by Prentice-Hall, Inc., 1963—ought to be remembered:

Military strategy directs primary attention to the study of how a future war may break out and to a detailed study of the particular features of strategic deployment of the Armed Forces, methods of delivering the first blow and conducting initial operations, and strategic utilization of the different branches of the Armed Forces (p. 91).

Modern warfare, military strategy has the strategy of missile and nuclear strikes in depth (p. 93).

In a missile war, the main war aims and missions will be accomplished by strategic missile forces, which will deliver massive nuclear strikes. * * * The National PVO will protect the country from enemy nuclear attacks. * * * The probability of such wars cannot be completely excluded at the present time (p. 95).

The fourth point to remember about communism is that the Red Chinese openly state that war is inevitable as a means of achieving one world of communism over the capitalistic nations. They openly do so. The Soviets openly speak of "peaceful coexistence," while secretly preparing for war. "Masters of deceit" is what J. Edgar Hoover calls the Communists.

Small wonder, Mr. President (Mr. NELSON in the chair), that administration spokesmen for the treaty have warned that the Soviets can be expected to abrogate the treaty whenever they conclude that it is in their interest to do so—just as they did in the case of their breach of the moratorium in 1961, after years of secret preparation for the premeditated breach. And the chairman of the Joint Chiefs of Staff testified that "I believe we can anticipate clandestine testing on the part of the Soviets." Although we may hope that the Soviets will change their ways and will adhere to the letter and the spirit of the treaty, it would be foolish for our people to let euphoria blind them to the realities of communism and to the long Soviet record of broken treaties and agreements, such as those with Finland, Estonia, Latvia, Lithuania, Poland, Hungary, Rumania, and Czechoslovakia, to name only a few.

Another manifestation of euphoria would be the assumption that with nuclear parity will come an end to the danger of nuclear war. Such an assumption overlooks the fact that so-called parity would be destroyed by a first strike of the Soviets or by Soviet development of an effective antimissile system. It fails to recognize that, in reckoning with a first strike, the United States must have far more nuclear weapons than the Soviets in order to retain parity after a first strike. Those who use the overkill argument, in an effort to persuade us to reduce our nuclear capability, appear to take a conservative position in estimating that only 10 percent of our bomber fleet and only 25 percent of our Polaris and Minuteman missiles would hit their targets, and that such a force would be more than 200 times enough to destroy the Soviet Union. Surely they do not believe that the Soviet Union would engage in a first strike on the basis of such an estimate. Rather, it would be more realistic to assume that the Soviets would not make a first strike until they believed they could prevent almost all, if not all, of our bombers and missiles from getting off the ground or reaching their targets. The overkill adherents also overlook the fact that strategic weapons would not be employed in a tactical war and that tactical weapons might well not be employed in a strategic war; and they do

not take into account obsolete weapons, aborts, misses, and nontargeted targets. Administration spokesmen who favor the treaty have made it clear that we cannot safely diminish our nuclear capability relative to that of the Soviet Union.

Nevertheless, the theory of overkill has merit, if placed in proper perspective. The danger is that its apparent logic might be used to justify unilateral disarmament or the ratification of a comprehensive test ban treaty without adequate inspection and controls. The American people can now sleep soundly at night, secure in the realization that our military power deters the Soviet Union from attack. It has always been this way, and the so-called missile gap of the 1960 campaign has long since been proved to have been nonexistent. The real concern, however, is, Will we maintain our deterrent power in the future? Years are required to design, develop, and produce weapons systems. It would be foolish and tragic, if not fatal, to let euphoria in the form of a misapplied overkill theory or any other form to persuade the people and the Congress to engage in unwise and premature cuts in our national defense budget, or to resist the defense budget increases which will arise in the nuclear weapons and technology area by firm adherence to the safeguards prescribed by the Joint Chiefs of Staff.

Finally, let us not be deluded by the argument that a continuation of the arms race, which ratification of this treaty will promote, will lead to greater international tensions. It is the international tensions, caused by the aggressive policies of Communist imperialism, which has brought on the arms race.

THE POLICY OF ACCOMMODATION

Serious as the other disadvantages under the treaty are, to me the most serious one is that ratification of this treaty, in the absence of even one first step by the Soviet Union indicating a change in policy, means following a policy of accommodation in dealing with communism. For over 25 years I have been studying the Communist ideology, and I have had the benefit of instruction, advice, and writings from people who have devoted their lives in this field. Not the least of these is Robert Strausz-Hupé, director of the Foreign Policy Research Institute of the University of Pennsylvania, who testified that while he favors a comprehensive test ban treaty, he is opposed to ratification of this treaty. I recognize that there are some differences of opinion among the experts, but the great weight of opinion is that the best if not the only way to deal with communism is through a policy of firmness. And a policy of firmness demands that before undertaking a solemn treaty obligation with the Soviet Union, in the face of its attempt to install nuclear missiles in Cuba last fall, in the face of the Gromyko lie to the President of the United States, in the face of Premier Khrushchev's failure to carry out his commitment for on-site inspection in Cuba under United Nations auspices, in the face of Premier Khrushchev's further failure to carry out his commitment to withdraw Soviet troops from Cuba, in the

face of the brazen attempt by the Soviet Union to bankrupt the United Nations by running up a delinquency amounting to \$54 million—over half of the combined delinquencies before the U.N., and in the face of continued Soviet-sponsored subversive activities in Latin America, the Middle East, and Africa—then some meaningful first step must be made by the Soviet Union to indicate peaceful intentions.

That first step could be the removal of Soviet troops from Cuba, onsite inspection of Cuba, payment of its delinquencies before the United Nations, adoption of an "open skies" policy such as that requested by former President Eisenhower, public renunciation of lies and villification relating to the intentions of the United States which have been deliberately fed to the people of the Soviet Union, who yearn for peace, by the Communist leaders in the Kremlin, or something similar. If it be said that the Soviet Union would never agree to taking such a first step as a condition precedent to ratification of the treaty, there are two answers: First, no one but the leaders in the Kremlin know whether the Soviet Union would take such a first step. Under the circumstances of this treaty, with the pressures of "world opinion" upon them, it could well be that the Soviet Union would pay up its obligations before the United Nations if this were a condition precedent. Second, the failure to take such a first step would be highly indicative of the surface nature of the protestations of "good faith" by the Soviet Union.

Instead, we are being urged to follow a policy of accommodation. This policy seems to be to merely react to Communist aggression, to do nothing which might rock the boat," so to speak, to bend over backward to not cause Premier Khrushchev to lose his temper and pound the table with his shoe. It finds expression in references to the "brink" of nuclear war during the Cuban confrontation, although let me say, Mr. President, we were not on any "brink" at all. We were ready to go, that is true. But we were not even close to a nuclear war because Premier Khrushchev was not close to committing suicide.

A line seems to be drawn between taking action—such as the blockade of Cuba—when there is imminent danger to our Nation; and inaction evidenced by lifting the Cuban blockade following the removal of Soviet missiles—when no imminent danger faces our Nation, although our national honor has been ground under foot by emasculation of the Monroe Doctrine. I could cite other examples, such as our tolerance of the Berlin wall, our failure to follow up on Premier Khrushchev's promise to have onsite inspection in Cuba and to withdraw Soviet troops from Cuba, and the apparent failure to even mention these points when Premier Khrushchev stated that he expected to negotiate a nonaggression pact between NATO and the Warsaw Pact countries as the next step following the treaty.

I do not say that the policy of accommodation is intended to reflect a "no win" policy on the part of those who

*advocate it, because the advocates are among the first to proclaim our hope that freedom will come to those who are now dominated by ideologies which reject individual freedom and the self-determination of nations. But because the policy of accommodation results in surrendering the initiative to the Communists, because it results in the side of freedom being on the defensive against the aggressive moves of Communist subversion and imperialism, it tends to weaken our willingness and desire to win the cold war. It tends to erode away the morale of the dedicated men and women in our Armed Forces, the people in the captive nations, and the refugees who seek to reestablish freedom in their native countries. It places an almost unbearable burden of understanding on those in the front line of the cold war—the men and their families affected by SAC alert, by maneuvers of our Polaris submarines, by our operations in South Vietnam to name only a few; and the Cuban patriots who seek to overthrow the bearded Moscow puppet in their homeland.

The point is, Mr. President, that the "accommodation" policy has not worked. And the reason it has not worked is that Communists look upon such suzerainty as a sign of weakness, which invites further subversion and aggression, rather than a sign of the hand of friendship to be grasped.

I could be wrong when I say that a policy of firmness is the one to follow, rather than a policy of accommodation, and I hope I am. I do know that when we have followed a policy of firmness—as we did in Berlin and as we did during the briefly imposed Cuban blockade—it has worked. But if a majority of my colleagues in the Senate feel that we should follow a policy of accommodation and ratify the treaty without a meaningful first step by the Soviet Union first, then I will go along—with this clear understanding: I want to see a meaningful first step by the Soviet Union, clearly demonstrating a change in policy, before ratifying any amendments to this treaty or any other treaties with the Soviet Union affecting the security of our country. In this connection, let me caution that I do not consider a proposed exchange of observers of ground forces, which is being mentioned, or a proposed proclamation of an end to class warfare in the Soviet Union, which will probably be made later on, as a "meaningful first step." I have already indicated examples of what I mean by this, and I speak of a unilateral step by the Soviet Union of that character.

CONCLUSION

In conclusion, Mr. President, I would make two points: First, the Praesidium of the Supreme Soviet has not, as yet, ratified this treaty. On September 9, the State Department advised that the treaty has been unanimously endorsed by the Joint Foreign Affairs Committee of the Supreme Soviet, the Council of the Union, and the Council of Nationalities, and was then before the Praesidium of the Supreme Soviet, which has the power to ratify. This naturally raises the question of what will happen if the Prae-

sidium does not ratify the treaty? The chairman of the Senate Foreign Relations Committee has said that he does not believe there is the slightest doubt that the Praesidium will ratify the treaty. He further said that, as far as he was concerned, if the Praesidium should not ratify the treaty sooner than next spring, the treaty would be "off." I recognize that the treaty will probably be ratified by the Praesidium, but we do not know this for certain. And if it should not do so sooner than next spring, I agree that the treaty should be "off," but I am not so sure that it will be "off." Once the treaty has been ratified by the U.S. Senate and the document of ratification deposited with the Soviet Union, it would seem to be "on" unless the President recalled it. I think it would be helpful to make sure that the State Department not deposit the ratified treaty with the Soviet Union until the Praesidium has ratified the treaty and it is on its way over here for deposit with us. Remember, that under Soviet law a treaty ratified by the Praesidium does not become effective until it has been deposited.

The second point is that I have detected a certain amount of cynicism over what will happen if this treaty is not ratified by the U.S. Senate. We have been told that ratification of this treaty is far better than to have an unlimited arms race extending without relief into the future. The inference, of course, is that if the treaty is not ratified we will, therefore, have an unlimited arms race extending without relief into the future rather than continue to work for a comprehensive test ban treaty. And the further inference is that any Senator who dares vote against ratification must be in favor of an unlimited arms race extending without relief into the future. The logic of such an argument completely escapes me. If I were to vote against ratification, I would deeply resent it. And inasmuch as I intend to vote for ratification, I am in an even better position to say that I deeply resent the implication it casts upon those of my colleagues who, with just as much dedication as any of us possesses to peace, to an end in the arms race, and to more of the better things in life for our people which genuine disarmament can bring, cannot conscientiously support ratification.

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

Mr. MILLER. I yield.

Mr. THURMOND. A portion of the preamble to the treaty reads:

Proclaiming as their principal aim the speediest possible achievement of an agreement on general and complete disarmament—

And so forth. Of course, the Senator is familiar with that portion of the preamble.

Secretary Rusk has said that the test ban treaty is only the first step down this road. He made that statement before the Senate committee March 11, 1963.

I believe the President of the United States said that this is the first step.

Does the Senator from Iowa feel that

this is the first step in a disarmament program?

Mr. MILLER. No. I do not believe this is the first step in a disarmament program. I have tried my best to make it clear that the result of this treaty, coupled with the safeguards of the Joint Chiefs of Staff, will be a step-up in the arms race rather than a stepdown.

I fear that most of the proponents of the treaty have not done their homework. They are trying to persuade Senators to vote for the treaty on the basis of the argument that it will be a step-down in the arms race. When the budget costs roll around to the Senate next year and the year after and the year after that, because the administration will then be trying to carry out the safeguards of the Joint Chiefs of Staff, those proponents should not come to tell me that they are sorry, that they were wrong. They have had ample time to do their homework on this point.

I have concluded that this will not be a first step toward disarmament. At least, that will not be the first result. I recognize that it may have a tendency, because of the increased costs of national defense both for the Soviet Union and the United States—because of these mutual disadvantages—to bring the two parties together in an effort to arrive at a comprehensive test ban treaty which will prohibit underground testing under adequate safeguards of inspection and controls. That could be a first step toward disarmament.

In other words, the treaty could provide a basis for a first step; but to say that the result of the treaty will be a first step toward disarmament, when the result is going to be an increase in the armaments race, is something I cannot quite reconcile.

Mr. THURMOND. Is it the feeling of the Senator from Iowa that this would not be a first step? Is that what the Senator has expressed? I believe it is the position of the Senator that it would not be a first step in disarmament.

Mr. MILLER. No.

Mr. THURMOND. Or does the Senator from Iowa want this to be a first step.

Mr. MILLER. I would like to have the treaty become a meaningful first step toward relative, genuine, effective, safeguarded disarmament between the United States and the Soviet Union, because I am well persuaded that until the day comes when we can spend more of our national resources on the better things of life for our people rather than for instruments of destruction, we shall not be able to provide the opportunities which I am sure our Maker intended for our people.

But that does not appear to be very near. I do not think we ought to try to aggravate the situation. I can understand Senators voting against ratification, on the ground that the treaty, might step up the arms race. I think that is a disadvantage, but I think it is outweighed by the other points I made for ratification.

Mr. THURMOND. So the Senator is not in accord, then, with the interpreta-

September 18

16500

tion placed upon the treaty by the President and the Secretary of State that it is a first step?

Mr. MILLER. That is a first step toward disarmament?

Mr. THURMOND. Yes.

Mr. MILLER. We must not get into an argument over the meaning of words, but the Senator from Iowa cannot see, if nothing more is done, that a year from now we shall be any nearer disarmament. The Senator from Iowa believes we shall be further away, because the arms race will have been stepped up just that much more. The only way one could justify the argument that this could be—the use of the word “is” is gratuitous—a first step is on the basis that it could result in better relations between the United States and the Soviet Union and, on that basis, perhaps a meaningful agreement regarding de facto disarmament could be arrived at.

Mr. THURMOND. Does the Senator feel the time has now come when the Communist leaders are evolving into peaceful people, that we can trust them, and that relations will be improved because of the treaty?

Mr. MILLER. No; the Senator from Iowa does not believe so. To be fair, I believe that some of the administration's spokesmen, such as the Secretary of State, have indicated that they do not believe that they are changing now, either.

There is a hope. One never knows when the people under the domination of the Communists will start to cast off the shackles of communism. We hope and pray that there will come a time when they will. Who knows when that time will be? A majority of my brothers here seem to think this is the time; that we do not have to have a meaningful first step by the Soviets; that this is the time for caviar and parties and bear hugs, which all of us saw on TV and heard about on the radio, as taking place in Moscow; and that this is supposed to be the crystallization of the change in Soviet intentions.

The Senator from Iowa does not believe so. The Senator from Iowa hopes and prays that it is. With all the reasons I have set forth in my argument, and with the first hurdle being gotten over, if the military risks involved are acceptable, in light of the assurances of the Joint Chiefs of Staff, and with the withdrawal provision, I will go along.

But let no one come to me a year from now, or 2 years from now, and say, “We have an amendment to the treaty. It would provide for better relations between the United States and the Soviet Union. There are some security overtones in it, but we want you to vote for this amendment.” Let no one do that unless I have seen a meaningful first step in the meantime, because the policy of accommodation has not worked. I am willing to go along this once, but if it does not work, I say let us “get on the ball” and follow the policy that has worked, which is a policy of firmness toward communism.

Mr. THURMOND. The Senator knows, does he not, that Secretary Rusk is construing this as a first step toward

disarmament, as he stated before the Senate committee on March 11, 1963?

Mr. MILLER. As I said, I do not want to get into an argument over the meaning of words. I do not recall whether the Secretary of State testified that this treaty's immediate result would be a step down in the arms race—

Mr. THURMOND. No; a first step toward disarmament, I said.

Mr. MILLER. But there are some persons who say the treaty would step down the arms race; and that, therefore, it is a step toward disarmament. They have arrived at that conclusion conscientiously, although, as I have said, I do not think they have done their homework. If one reaches the conclusion that the treaty will be a step down in that arms race, he may believe that it will be a step toward disarmament. But if one reaches the conclusion, as I have, that it will be a step-up in the arms race, I do not see how he could say it is a step toward disarmament unless he thinks it will provide for better relations between the two nations that will result in reaching other meaningful agreements providing for a step toward disarmament.

Mr. THURMOND. In view of the preamble to the treaty, which states it is a step toward general and complete disarmament, and in view of the statement of the Secretary of State to that effect in March 1963, and in view of the President's statement that it is a first step, is there much doubt in the Senator's mind as to how the executive branch construes it?

I am not asking the Senator's construction, but is there much question in the Senator's mind as to how the executive branch construes the treaty? It is that branch that will be charged with the enforcement of it.

Mr. MILLER. Let me say to the distinguished Senator from South Carolina that I am looking at the treaty now. The preamble states:

Proclaiming as their principal aim the speediest possible achievement of an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations which would put an end to the armaments race and eliminate the incentive to the production and testing of all kinds of weapons, including nuclear weapons.

Seeking to achieve the discontinuance of all test explosions of nuclear weapons for all time, determined to continue negotiations to this end, and desiring to put an end to the contamination of man's environment by radioactive substances,

Have agreed as follows—

I cannot see that the preamble states that we are now undertaking to disarm. It merely states that we are aiming for an agreement on general and complete disarmament, and trying to achieve discontinuance of all test explosions of nuclear weapons for all time. It is an objective, but the preamble does not state that the treaty is going to be a step in that direction. I do not believe the preamble of the treaty could be said to stand for the proposition that the treaty is going to step down the arms race.

Mr. THURMOND. I remind the Senator what Mr. Khrushchev said in East Germany on January 16 of this year

about disarmament. He made the statement:

Disarmament primarily means dismantling the gigantic war machines of the highly developed countries. . . . General disarmament does not mean disarming the peoples fighting for national liberation. On the contrary, it would deprive the imperialists of the means to halt progress and crush the struggle for independence.

So it is clear from that statement how Mr. Khrushchev construes “disarmament.”

I should like to quote from General Power, whom I know the Senator holds in high regard and esteem. He said:

In my personal opinion, all sensible people in this world desire peace and freedom from a nuclear war, but there are two different theories of how to get there. One theory is through military superiority and through deterrents, while his the philosophy of the strategy we have used. There is another one, through disarmament. I personally think the two theories are diametrically opposed—

Says General Power—

I do not see how you can arm and disarm at the same time. I have studied previous disarmament measures, and in my opinion disarmament is a proven concept to get you into a war. I think history will prove that the surest way to cause a war, nuclear war of any war, is to disarm.

Does not the Senator feel that what has kept us out of a nuclear war, and what has been the greatest deterrent to war with the Communists, since World War II ended, has been our tremendous striking power, our nuclear weapons, and the great strength and power of this Nation?

Mr. MILLER. There are some who may argue against it, but the Senator from South Carolina knows very well that I believe deeply that most knowledgeable people who have done their homework must admit that to be true. The concern that is often expressed by some against disarmament is that they tend to think in terms of disarmament in a sort of vacuum. I do not regard it in that light. To me, the only kind of disarmament that the United States could conscientiously engage in vis-a-vis the Soviets would be one of relative disarmament, so that there would be a relative amount of power in our favor as between the two countries.

That is a very difficult problem, as the Senator knows, to work out, but I do not believe it should deter us from attempting to make some strides in that direction. I am persuaded that until the time comes when we can spend our money on the better things of life for our people instead of on armaments, we shall not have the kind of life that was intended for us by our Maker. Nevertheless, in the meantime I believe we had better keep our powder dry. There is too much emphasis being given to the argument that the arms race causes world tensions. It is not the arms race that causes tensions. It is the aggressive nature of communism.

The President of the United States has said that if Mr. Khrushchev would cease aggression, we would be in a much more positive situation. What he was politely nudging Mr. Khrushchev on was

the arms race being stepped down, it will be stepped up. We shall have to do more hardening of missile sites to provide margins of safety, in view of what the Senator from South Carolina has said. We shall have to spread our missiles out still more and have more of them, because we are uncertain of Soviet developments.

Mr. THURMOND. How will we know how much to harden our missile sites if we cannot test in the atmosphere?

Mr. MILLER. We do not know how much to harden them; all we can do is to guess. The Senator from South Carolina knows that we have always done that in our military activities. In addition, we shall have to disperse our missiles more, so that we shall have the capability to retaliate if there are some weapons effects instruments that the Soviets might release, which might, over a large area, paralyze our missile control system.

Mr. THURMOND. Under the treaty, is it not true that the United States will be unable to verify the ability of its missile reentry bodies under defensive nuclear attack to survive and to penetrate to the target without the opportunity to test nosecone and warhead designs in a nuclear environment under dynamic reentry conditions?

Mr. MILLER. This is true; but again, I think it could be said, with validity, that the Soviets probably do not have an adequate amount of information on that point either.

Mr. THURMOND. Notwithstanding the tests which the Soviets conducted in 1961 and 1962?

Mr. MILLER. According to my best information, that is something that is highly technical and difficult to evaluate. More than one series of tests would be required to develop a creditable reentry vehicle, if indeed problems are developing.

Mr. THURMOND. Is it not true that the treaty will provide the Soviet Union an opportunity to equal U.S. accomplishments in submegaton weapon technology?

Mr. MILLER. Yes, indeed. However, I wish to be fair in my statement. The Secretary of Defense and, as I recall, other administration spokesmen who favor the ratification of the treaty, indicated that this could be done. They did not try to dodge the question. Their answer was that it would take a long time and would entail a large amount of additional expense to the Soviet Union to step up its underground testing sufficiently to hope, after several years, to catch up in that area.

Mr. THURMOND. Is it not true that the treaty would deny to the United States a valuable source of information on Soviet nuclear weapons capabilities?

Mr. MILLER. I do not know. I should say that even without the treaty, we face about the same problem, so far as our intelligence regarding Soviet nuclear weapons capabilities is concerned. I believe we have some good intelligence on this subject. We do not have as much as we would like to have. Whether we have the treaty or do not have it, I do not believe there will be

a great amount of difference in our intelligence on this point. Perhaps I do not understand the thrust of the question asked by the Senator from South Carolina. I want to be responsive; but if I correctly interpret his question, I have given the best answer I can.

Mr. THURMOND. Based upon the testimony of the Joint Chiefs of Staff, other military people, and scientists, it is clear that the United States is ahead of the Soviets in low-yield weapons. I believe the Senator from Iowa will agree to that.

Mr. MILLER. That is correct.

Mr. THURMOND. It is further clear that under the treaty the Soviets could test underground and overcome their deficiency in that respect.

Mr. MILLER. That is correct. But I wish to repeat, to be fair, that the proponents of the treaty recognize this—although they have a semirebuttal to it, in pointing out that it will entail a great amount of additional cost to the Soviets, and that it can be achieved only over a long period of time.

Mr. THURMOND. The testimony before the Preparedness Investigating Subcommittee also clearly shows that the Soviets are ahead of us in high-yield weapons and in the development and deployment of an anti-ballistic-missile system. Is it not true that we would have to test in the atmosphere, in order properly to overcome that deficiency?

Mr. MILLER. Not quite, because it should be remembered that even granted that they are ahead of us in the development of an antimissile system—although I am not sure they are—I recognize that they may well have installed some kind of antimissile system, and I also recognize that they will not be content to stop there, either, but will get the best one they can, and will do so sooner than we do, if possible. Nevertheless, I am satisfied that in the foreseeable future, the penetration capabilities of our nuclear retaliatory force will be quite sufficient to destroy Khrushchev and the Soviet Union, in the event they attempt to make the first strike.

Mr. THURMOND. I invite the attention of the Senator—if he has not had an opportunity to read it—to the testimony in the Preparedness Investigating Subcommittee of the Joint Chiefs of Staff, who definitely, explicitly, and precisely said the Soviets do have a lead on us in the antiballistic missile system field.

Mr. MILLER. Yes. But the Senator knows that the problem is, How much? No one knows how much their lead really is.

Mr. THURMOND. To the extent that they have one developed and deployed whereas we have none deployed, and it is a matter of fact that it would take us 4 years to deploy an ABM system. Also the Soviets has made more sophisticated tests than we have.

Mr. MILLER. That is correct; and I think there should be no disagreement on that point.

Mr. THURMOND. Except for the fact that our intelligence shows that the Soviet system is capable of knocking down medium-range missiles, which

travel up to approximately 1,200 miles; and intermediate-range missiles, which travel up to about 2,500 miles; and, under certain favorable conditions, intercontinental ballistic missiles, which travel from 5,000 to 7,000 miles. Our intelligence may be wrong; but that is what our own intelligence shows.

Mr. MILLER. Assuming that to be correct, I suggest to the distinguished Senator from South Carolina that the Soviets would have a long, long, long way to go before they could develop and set up a comparable defense system around all the major cities in the Soviet Union. So I believe they have a long way to go in making that development.

Nevertheless, this does not mean that we should not concern ourselves with the development of an effective antimissile system sooner than the Soviets develop one. But this system will extend far beyond the confines of one localized area, which is where I understand the Soviet system now is. It will have to be nationwide, and that will take a long time. I hope we do not have to develop it to that point; but I believe we would be foolish, indeed, if we proceeded on the assumption that the Soviets would not try to succeed before we do.

Mr. THURMOND. I thank the able Senator. In view of his excellent military background and knowledge, and his stated lack of trust of the Communists, and also in view of the disadvantages of the treaty, as he has expressed them in his address today, and also throughout the debate on the treaty, I am still at a loss to understand how the able Senator has reached the conclusion to support the treaty.

Mr. MILLER. I thank the distinguished Senator from South Carolina. He well knows my great respect and affection for him and also my great respect for his military knowledge, which is unexcelled by that of any other Member of the Senate.

I may say that the last paragraph of my speech was included because I am cognizant of the position of the Senator from South Carolina and of other dedicated Senators who, in their conscience, feel that they cannot favor approval of the treaty.

These matters should be viewed in the proper perspective. Some persons no doubt will say the Senator from South Carolina, the Senator from Georgia [Mr. RUSSELL], and the Senator from Wyoming [Mr. SIMPSON], and other Senators who cannot in good conscience vote for approval of the treaty, therefore are in favor of an unlimited nuclear arms race far into the future, and so forth. I believe it best to lay that misunderstanding to rest, once and for all; and I have done my best to do so.

Mr. YOUNG of North Dakota. Mr. President, I will vote for approval of the nuclear test ban treaty. This is one of the most difficult decisions I have ever had to make, dealing—as it does—with our future security. As is the case with most issues of great importance, not all the merit is on one side.

While the danger of fallout from nuclear testing may be overestimated, the great majority of people throughout the

1963

CONGRESSIONAL RECORD — SENATE

16501

to get off the Communist ideology and get on to something more peaceful. I do not expect to see him do so for some time. It may be that he will, but I want to see something more concrete first. I am not at all impressed by fine words. I am not impressed by Moscow champagne and caviar parties and smiles and bear hugs.

We must have some concrete evidence first before we take another first step, if it be a first step.

Mr. THURMOND. I am sure the Senator is familiar with the report of the Preparedness Subcommittee.

Mr. MILLER. Yes.

Mr. THURMOND. Under the treaty, is it not true that the United States probably will be unable to duplicate Soviet achievements in very high yield weapon technology?

Mr. MILLER. I believe the Senator is reading from the conclusions of the Preparedness Subcommittee. I have already quoted from the major findings in my main speech.

I recognize the probable validity of these conclusions, although I point out that perhaps even the formidable statement that was put into the conclusions was worded in the terminology of "maybe" or "perhaps." That is the difficulty with all the evidence that we have on the treaty. It is opinion evidence or practically all of it is. Very little of it is factual evidence. Therefore, it is necessary to weigh possibilities and probabilities and "maybe's," "might's," "could's," and "should's" to arrive at a conclusion. This makes the task extremely difficult. Honest people can differ on the degree of emphasis they will give.

What I have been mainly trying to do has been to put some of the arguments in their proper perspective. Both for and against the treaty. In my mail I have received cliches on both sides of the issue. I am not denying the sincerity with which they were offered.

However, they are not persuasive, and I believe they ought to be reduced to size, so that when Senators vote they will vote on the basis of reason and logic and sound judgment, instead of on the basis of cliches and arguments that should have no relevancy in the Senate.

Mr. THURMOND. Because of the Senator's military experience, I am sure he realizes the value of the Preparedness Subcommittee's report. I wish to point up certain things in it in a few more questions. Under this treaty, is it not true that the United States will be unable to acquire necessary data on the effects of very high yield atmospheric explosions?

Mr. MILLER. That question can be answered only in terms of possibility or probability. What are "necessary data"? It is difficult to determine whether they are necessary or unnecessary. Some people think they are absolutely necessary. Others seem to think we can get along without them, and that if we find as time goes on we cannot get along without them, we can withdraw from the treaty.

I do not expect the relative power between the Soviet Union and the United States to blow up overnight. It will be some time before the Soviets catch up to

the point of offsetting our deterrent ability. That will occur over a period of several years. In that time, we can detect changes sufficient to enable us to reach a determination as to whether we should withdraw from the treaty.

In the face of world opinion, such withdrawal would not be easy. It would be necessary for the President and the Members of the Senate to be courageous about it. However, I do not believe I can answer the question of the Senator from South Carolina any better than I have answered it. It is hard to say whether it is necessary. I agree that we will not be able to obtain certain information on weapons effects which the Soviets have obtained. The President of the United States said as much in March of 1962. He said that they had obtained weapons effects information that would probably take them 2 or 3 years to analyze, and that we do not have it. I am satisfied that as a result of our rather limited testing in 1962, we have less comparable information to analyze.

Mr. THURMOND. Under this treaty, is it not true that the United States will be unable to acquire data on high altitude nuclear weapons effects?

Mr. MILLER. Neither side can do so under the treaty. The point I wish to make—and I thought I had agreed with the Senator on it—is that the Soviets, by virtue of their massive tests in 1961, have acquired certain data which we probably have not acquired as a result of our rather limited test series of 1962.

Mr. THURMOND. If the treaty is adopted, we will not be able to acquire the information. Is that correct?

Mr. MILLER. That is correct.

Mr. THURMOND. Under the treaty, is it not true that the United States will be unable to determine with confidence the performance and reliability of any ABM system developed without benefit of atmospheric operational system tests?

Mr. MILLER. The testimony on this point, as the Senator knows, was divided. I am inclined to think that Dr. Teller's testimony on this point was more persuasive than the testimony on the other side. In any event, it was of equal quality. The proponents of the treaty say we do not need to test. Dr. Teller and others say we need to test. It is a difficult question for anyone to evaluate and upon which to come to a conclusion.

I go one step further, if the Senator from South Carolina wishes to know how I reconciled my position on the treaty with that problem. There are two ways. First, the withdrawal provisions of the treaty. I am satisfied that the Soviet Union will not for a long time develop an antimissile system which will effectively take care of our weapons. They will be working for one, probably, and they may develop one. But I am satisfied we will get information in the meantime which will indicate to us whether we need to test our system. Under the withdrawal provisions of the treaty, we shall be able to do so.

Mr. THURMOND. Speaking of Dr. Teller, I should like to quote a statement he made in January of this year:

A test ban treaty with the Soviet Union would prevent vital improvements of our atomic explosives, as well as foreclose the

development of antimissile systems like the Nike-Zeus and the Nike-X. It would not keep the Russians from cheating. Such a treaty, in sum, would endanger our security and help the Soviet Union in its plan to conquer the world.

Mr. MILLER. I remember that Dr. Teller testified in similar vein during the hearings on the treaty. As I said in my speech, Dr. Teller's knowledgeable testimony and his powerful logic is certainly of as high quality as any of the testimony on the other side.

But the problem is: What if the Soviets are able to test, as Dr. Teller says they are, without detection? Will the results of those tests be significant? That is the magic word. Dr. Teller says they will be significant. Secretary McNamara says they will not be significant. So we are confronted with the problem whether there will be significant developments resulting from the Soviets' clandestine tests, assuming they propose to do so.

The Chairman of the Joint Chiefs of Staff said that we will make that assumption. This is a difficult problem.

I still say that if we adhere to the safeguards prescribed by the Joint Chiefs of Staff, we will be able to detect, through our intelligence, whether there have been sufficient developments so that we shall be sufficiently forewarned and be able to withdraw from the treaty.

Mr. THURMOND. Does the Senator from Iowa consider that the tests the Soviets made in 1961 and 1962 were significant?

Mr. MILLER. I believe they were highly significant. This is one of the main reasons why the argument that is now advanced by the proponents of the treaty, who signed the treaty, was offered to the Soviets in 1958 and by President Kennedy in 1961; therefore, we must follow through with it now. But they completely ignore the change in factual circumstances since the previous offers of the treaty, not the least of which was the massive series of Soviet tests in 1961, which had highly significant results.

The big question is whether the results they obtained compared with the results that they previously obtained, plus the results we obtained in our limited series in 1962, have created a significant imbalance which could lead to a significant imbalance in technology vis-a-vis the two nations.

I am persuaded that they do not; but if they do, we will have available the withdrawal provisions of the treaty.

Mr. THURMOND. The able Senator from Iowa being an Air Force Reserve officer, I am sure he will be familiar with the next question:

Under the treaty, is it not true that the United States will be unable to verify the ability of its hardened underground second-strike missile systems to survive close-in high-yield nuclear explosions?

Mr. MILLER. That is true; but something must be added in answer to the question. It can be doubted whether the Soviets know the answer. Furthermore, prudence would dictate that margins of safety, certainly within reason, be provided in the hardening of our missile sites. I have said that this will be another result of the treaty. Instead of

1963

CONGRESSIONAL RECORD — SENATE

16503

world fear that unlimited testing could seriously affect the health of this generation and future generations. Thus far nuclear testing has been limited to that by the United States, Russia, England, and France. In a matter of a few short years other nations will be in a position to test nuclear weapons, thus greatly increasing the danger of nuclear fallout, in the absence of a nuclear test ban agreement.

Another serious question involved is that of easing the cold war tensions with Communist Russia. It is impossible for the United States to avoid having to deal with Communist Russia in Berlin and in countless other areas throughout the world. There is some advantage to a better relationship, if this can be accomplished without endangering our national security. The provisions of the test ban treaty itself leave ample room for any of the signators to withdraw—perhaps too much to be effective. Limiting nuclear testing is the goal sought by most people throughout the world, and earnestly advocated by both President Eisenhower and President Kennedy.

I am well aware that the Soviet Union has violated most of its treaties and agreements with us and other nations. This one may be, too; but nothing will be lost if we continue, and even accelerate, our vast program of research and development of nuclear weapons, and continue to prepare for future tests, which could be resumed immediately following any violation by Russia. We have this assurance through a letter by President Kennedy to the Senate. Equally important, there is a sizable increase in the appropriations for this purpose in both the House and the Senate versions of the appropriations bills.

I would never vote for approval of the treaty if I had the slightest doubt that our research and development in all phases of nuclear power would not only be continued, but also would be expanded and vigorously pursued. A strong national defense is still, and always will be, our greatest assurance of peace and security.

The United States now is capable of destroying every military installation and every important city in Russia at least 25 times over. We could literally cover Russia in a sea of flames.

The most important defense weapon of the future is the Nike-X, an antimissile missile on which we are spending hundreds of millions of dollars, each year, in research and development. If this can be perfected—and that is possible within a comparatively short time—this, together with our other defense weapons, could give us a high degree of protection against any nuclear attack, whether by plane, missile, or submarine.

One of the most important questions involved in approving the treaty is whether nuclear testing would be necessary in the perfection of this antimissile missile. On this question, again there is some disagreement among our top military authorities. Gen. Curtis LeMay, Chief of Staff of the Air Force, reluctantly approved the nuclear test ban treaty, because he felt it would be de-

sirable to test the Nike-X missiles with nuclear warheads attached, before they were deployed. He felt the same way with respect to the Minuteman, Titan, and Atlas missiles, which already are deployed, but never have been tested with nuclear warheads attached. Since our military authorities believe it is not necessary to test these missiles with nuclear warheads attached, it is questionable whether the Nike-X would be tested with its nuclear warhead, even if there were no test ban treaty. We have many thousands of nuclear warheads already perfected and ready to be attached to the Nike-X or any other weapon.

After long and careful study of all the testimony on both sides of the issue, I have come to the conclusion that more is to be gained by approving the test ban treaty than by disapproving it. I do not subscribe to the position—taken by a few of our military leaders, and some others—that nuclear war is inevitable. If this were the case, there would be little hope for the future.

Mr. YOUNG of Ohio. Mr. President—

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The Senator from Ohio [Mr. Young] is recognized.

Mr. YOUNG of Ohio. For several weeks, members of the Committee on Foreign Relations, members of the Committee on Armed Services, and the Senate Members of the Joint Committee on Atomic Energy have examined intensively the proposed limited nuclear test ban treaty.

As a member of the Committee on Armed Services, I desire to thank the distinguished Senator from Arkansas [Mr. Fulbright], the chairman of the Committee on Foreign Relations, for inviting all members of the Committee on Armed Services to participate in the hearings of the Foreign Relations Committee on the limited test ban treaty. I am grateful to the chairman of that great committee, not only for inviting me to attend those sessions, but also for calling on me to ask questions of all witnesses.

Mr. President, it happens that I first read this treaty approximately 4 days before it was even initiated. I have attended the committee meetings and I have studied the treaty; and I now believe that the Senate has intensively examined it.

In my judgment, every conceivable implication of the treaty, every word, every comma, and every period, has been minutely examined. More thorough consideration has never been given to any matter which has come before the Senate.

As the distinguished majority leader has said, in the last analysis the question which confronts us is simply whether the proposed treaty does, on balance, serve the interests of the people of the United States?

Some Senators have engaged in a great deal of discussion and there have been many expressions of doubt regarding the reliability of the safeguards in the treaty. Those who oppose the treaty exaggerate the risk of cheating. They minimize

the risk of continuing the arms race. The treaty contains the specific reservation that our Nation may scrap the agreement if that is deemed necessary by our President for our national security. Furthermore if the Soviet Union were to violate any provisions of the treaty, it would be voided immediately. In addition, each nation may continue underground tests so long as radioactive debris is not deposited outside its territorial limits. Of course, we shall not rely solely upon Soviet good faith. We shall rely on our far-flung detection network which instantly warns of atmospheric tests or underwater tests anywhere in the world.

Mr. President, the treaty gives us the right to resume testing in the atmosphere, under water, or in outer space whenever we feel that our national security requires it. Three Presidents of the United States—Presidents Truman, Eisenhower, and Kennedy—have striven patiently to achieve an effective nuclear test ban treaty, and they have endorsed the one before us. The Chairman and the other members of the Joint Chiefs of Staff have endorsed it. By far the majority of the scientists and the nuclear physicists who testified before the Foreign Relations Committee strongly endorsed the treaty. Every possible safeguard and precaution to protect our vital national interests have been taken in the drafting of this historic document.

Of course, there are risks in this as in any venture in foreign relations. Commonsense will balance them against the risks of continued massive testing with all that it implies for the poisoning of the atmosphere and the aggravation of an arms race that would end only in disaster. There are also risks in failing to venture; risks in standing still in a world of change and challenge which does not remain stationary for this or any other nation.

This treaty is an objective which two administrations, representing both political parties, have patiently sought in spite of repeated discouragements, and notwithstanding opposition and criticism at home. It was a prime element in the foreign policy of the Eisenhower administration. When President Kennedy assumed office he could, had he chosen have ignored the efforts of the previous administration. However, he pursued this policy as it is in the best of interests of all Americans, regardless of their political affiliation. It will not usher in the millennium. It will not end the cold war. It will not totally disarm the Soviet Union. It will not end the threat of Communist aggression. It will not bring about at once total and complete disarmament. It will be a step toward ending one area of armament competition. It may pave the way for progress in other areas.

Should we reject this treaty, the risks of paralyzed uncertainty and the resulting petrified foreign policy may be far greater than those, if any, which might result from ratification.

Mr. President, the Communist masters of Red China have denounced this treaty. In this they are in complete

agreement with members of the radical right-wing fringe in our own country who claim that coexistence is impossible. Coexistence is defined as existing together. Do those who oppose the limited test ban treaty, claiming there cannot be coexistence with the Soviet Union, believe the Russians will just cease to exist? The alternative to coexistence is coannihilation. Together we have power to destroy millions of Americans and Europeans. In 10 years, if China with 700 million population becomes a nuclear power, then what? Obviously, we should take this short step toward peace by ratifying the limited nuclear test ban treaty.

The test ban is an acknowledgement and a reflection of the nuclear stalemate that exists. The Soviets have bigger H-bombs than we do; we have far more warheads, a greater variety and superior delivery weapons. Neither side has true superiority as each possesses the power to destroy the other if it is willing to be destroyed itself.

Armaments races ultimately led to World Wars I and II. Let us hope this treaty signals the beginning of the end of today's armaments race. There would be no victor in a nuclear war.

Questions were asked of the preceding speaker whether the treaty might not mark the end of today's armaments race. I hope that ratification of the treaty will have that end result.

Mr. President, if not for ourselves, then for our children and our children's children and for all generations to come, we owe a duty to take this first small, cautious, well-protected step toward peace and toward ending continued pollution of the atmosphere. Some scientists claim that the genetic damage already done has been very substantial. We cannot afford to gamble with the health and lives of unborn children.

Debate over the test ban treaty has been so crowded with examination of its purely military consequences that the virtue of eliminating radioactive fallout sometimes seems almost to be lost sight of in the overall discussion.

The genetic damage that will result from tests already conducted by any standard of measurement are terrible and horrifying. This damage might be multiplied were indiscriminate tests by many nations to take place in the future. The consequences of testing alone, to say nothing of the risk of war itself, might possibly work an alteration upon the environment of this planet that would cause dreadful injury to the health of all mankind.

The weight of the world's scientific opinion is that radioactive fallout from testing has increased—and future testing would further increase—the hazards due to natural radiation; that any increase is likely to cause some additional genetic damage.

The test ban treaty committing others to refrain from testing, greatly diminishes this hazard. The suspension of atmospheric testing, in these altered circumstances, becomes an affirmative gain of the most enormous consequences to the human race.

Events may disappoint the hopes and expectations of those who have proposed this treaty. It does not, by itself, and for all time, automatically preclude the resumption of atmospheric testing, but it may well result in that most desirable end. And if it does, its adoption may spare unnumbered thousands of our own countrymen and millions, around the world the pain and sorrow of terrible, wasting lifelong injury. And it may lift from mankind the dread menace and dire threat of damage to the genetic integrity of the human family that would cast its dark shadow forward through the generations down to children born a thousand years from now.

Opponents of ratification have had much to say regarding Dr. Edward Teller and his testimony. He is one of a very few leading scientists who oppose this limited test ban treaty. Therefore, regarding Dr. Teller let us consider the record.

The burden of Dr. Teller's advice now is that to give up atmospheric testing would grant the Soviets a dangerous advantage in developing a missile defense. This view is not supported by the Joint Chiefs of Staff or by other scientists of equal or greater competence. It should be measured against previous alarms raised by Dr. Teller when a test ban was under discussion.

In 1957, when the Eisenhower administration was considering a moratorium, Dr. Teller was the leader of a scientific group which strenuously opposed any such policy on the ground that it would dangerously interfere with our development of a 100 percent clean bomb.

According to a news article in the Washington Post, there is good reason to believe that the bomb Teller was talking about had been developed and indeed even secretly tested before 1957. Apparently no one wanted it then and apparently no one wants it now.

In 1959, when the United States and Russia had temporarily suspended testing not by treaty but simply under an unwritten agreement and begun negotiations for a formal ban, Dr. Teller advanced a different reason for his opposition. Then he argued that tests were absolutely necessary in order to develop peaceful uses of nuclear energy, such as Project Plowshare—atomic explosions to deepen a harbor or to build a canal.

In 1961, he produced still another reason. This time, a test ban would dangerously interfere with our development of a neutron bomb, the absolute weapon that would kill people but do no damage to property.

Little is heard these days about the neutron bomb, about the clean bomb, about the need for large atmospheric explosions for peaceful purposes. Now it is the antiballistic missile which Dr. Teller dangles before the Senate. But in view of the record, how much confidence can be placed in his advice?

The question is all the more pertinent in view of the fact that in 1960 when Dr. Teller was arguing that the United States should break the moratorium then in force by resuming underground testing, he actually advocated almost ex-

actly what the Kennedy administration is advocating now. "All developments of nuclear explosives which are really necessary," he then wrote, "can be carried out by methods which will not contribute to the contamination of the air. We can continue the development of nuclear weapons without causing any further contact of human beings with radioactivity."

That is exactly what the administration now proposes. Furthermore, as President Kennedy emphasized at a recent news conference, he proposes to keep our nuclear laboratories functioning at full strength, to prepare standby facilities for the immediate resumption of atmospheric tests in case the treaty is violated, and to improve detection methods so that any violation will certainly be found out. Dr. Teller's argument that the treaty will tragically weaken the Nation simply does not stand up. On the other hand, the failure to ratify, with all that this would imply for acceleration of the arms race, would be a real tragedy for the world at large.

I am not one of the younger Members of the Senate of the United States. I am one of the older Members who sit in this small rectangular chamber which is truly the hall of the States.

I feel I speak for the fathers and mothers of this country who fear that the milk their children drink will be more and more contaminated and poisoned if the atmosphere is permitted to be polluted by nuclear explosions of 4, 6, 8 or 20 nuclear powers, as our President said there would be in 1975 unless some treaty such as this is ratified. I know this treaty is not merely good for those fathers and mothers and for their children. I know this is good for my four young granddaughters, who will with others of similar ages be the trustees and guardians of this Nation in a comparatively few years. I want them to live in a country which is secure and powerful as is our country at this time—also in a clear atmosphere of peace, instead of in a grim period of cold war and international anarchy. This limited test ban treaty is a small step in the long journey for the peace of the world. In that hour of decision when we are asked to support our President and advise and consent to the ratification of this nuclear test ban treaty, I will support our President. Every vote cast against ratification will have the same power and weight as every two votes cast in favor of ratification. I hope and I believe that the Senate will ratify this treaty by an overwhelming margin and that we shall vote down overwhelmingly every amendment and reservation.

We have heard of some reservations which will be offered. We have seen the letter written by our President to the majority leader and minority leader of the Senate, setting forth eight specific assurances. We have seen the report of the Committee on Foreign Relations. We know there is no necessity whatsoever for any reservations or understandings. We know that if a so-called reservation were offered and adopted, it would kill the treaty, since it would then

1963

16505

be necessary to submit the treaty to complete renegotiation.

I pray that nothing like this will happen. I feel certain it will not. If our Commander-in-Chief, our President, is to be struck down by a vote rejecting this treaty I want no accusing finger to be pointed to me that mine was the assassin's blow.

The treaty may not work. In that event our political, military and scientific leaders have assured us that our national security will not have been jeopardized. However, we must allow ourselves the luxury of a faint glimmer of hope. This treaty is just that.

Mr. President, the junior Senator from Ohio will vote to ratify this treaty. I believe it to be a step, however small, in the director of preserving a world fit for our children to live in and a step forward in the history of human civilization.

Several Senators addressed the Chair. Mr. YOUNG of Ohio. Mr. President, I shall yield first to the distinguished Senator from Alaska [Mr. GRUENING]. Before doing so, in view of the colloquy which occurred immediately before I obtained the floor, and the reference that was made to Dr. Edward Teller, let me say that for most of my adult life I have been a trial lawyer. When I represented a losing side, and had one positive witness, though his testimony may be rebutted by all the opposing witnesses, I liked to emphasize his testimony. This appears to be the case with opponents of the treaty and their star witness, Dr. Teller.

In reading the hearings before the Committee on Foreign Relations, I discovered that the distinguished senior Senator from Idaho [Mr. CHURCH] obliterated the validity and force of Dr. Teller's testimony, in the questions he asked him, by using certain quotations from the writings of Dr. Teller himself. The Senator asked Dr. Teller:

I have before me some quotations from writings that you have published in that interval between the Eisenhower administration and the present time—that are pertinent to the inquiry today—the statements which you have made. I would like to identify them for you and read them to you. I have four and since they are all related in a sense, let me read the four and then you can make such comment as you care to make about them.

The first is an excerpt from an article of yours entitled "The Issues of Peace," which was published in the Bulletin of Atomic Scientists in June of 1960, and appears on page 203, in which you say, and I quote:

"I say that we can stop nuclear testing in the atmosphere. We may do this unilaterally. We can then challenge the Russians to follow suit even if they won't sign a treaty."

That ends the quote.

The second quote is from an article of yours which appeared in the Washington Evening Star in August of 1960 from which I quote as follows:

"We should renounce nuclear weapons tests in the atmosphere. We should challenge the Russians to do likewise and we should use our influence in the United Nations to prevent atmospheric weapons tests by all nations."

That ends the quote.

From the same article there is a second quote as follows:

"All developments of nuclear explosives which are really necessary can be carried out

by methods which will not contribute to the contamination of the air. We can continue the development of nuclear weapons without causing any further contact of human beings with radioactivity."

In other words, underground testing. Then the Senator from Idaho propounded the final question to the witness, reading an extract from the "Legacy of Hiroshima," Dr. Teller's book, published in 1962:

Is an effective test ban possible? In the atmosphere and beneath the surface of the ocean, yes. In these areas the biosphere, the sphere of living beings, violations of a test ban could be detected.

Those four quotations from Dr. Teller's writing were used in questioning the witness. The Senator from Idaho had asked him how he could reconcile those statements with his present attitude. The witness said:

The simple answer to your question is don't reconcile them. They are contradictory.

He went on to say this:

Now, after having eliminated a small part of the contradiction, I want simply and completely to say that the biggest part of the contradiction remains and is to be explained by the fact that I have changed my mind.

I ask those who will quote this same doctor in support of their position against this limited nuclear test ban treaty. Is it not just as likely that a year from now, or two years from now, he may again say, "I have changed my mind" and he may say it rather sheepishly?

It is my belief and my fervent hope that more than 80 Senators will vote to ratify the limited nuclear test ban treaty and take this important first step forward toward peace.

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

Mr. YOUNG of Ohio. I yield to the Senator from Alaska.

Mr. GRUENING. I congratulate my able and distinguished colleague, the junior Senator from Ohio, on the constructive, well-reasoned, and farsighted presentation of his views on the test ban treaty. I am confident that he represents the views of the overwhelming majority of the American people. The test ban treaty is one of the great achievements of our time, whatever may be the ultimate result.

As the junior Senator from Ohio has so well pointed out, if we merely succeed for a time in stopping the poisonous fallout, which may destroy the health and happiness of countless people for generations to come, we shall have achieved a success; but I am confident, as he is, that this is an important step forward. I think the Senator has contributed greatly to the discussion, and I congratulate and commend him for it.

Mr. YOUNG of Ohio. I thank the Senator from Alaska.

ORDER OF BUSINESS

Mr. AIKEN. Mr. President, I raise the point of order that the Senate is not in order.

The PRESIDING OFFICER. The Senate will be in order. The Senator

from Ohio [Mr. YOUNG] has the floor and can yield only for a question.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent to yield to the junior Senator from Rhode Island [Mr. PELL].

Mr. AIKEN. Mr. President, I have no objection to Senators asking questions of a speaker, but I do object to the irregular practice of passing out time by Members of the Senate. I also object to the practice of requesting and obtaining time 3 or 4 days in advance in the case of a Senator who wishes to leave the Senate and not be in the Chamber, thus being able to go off somewhere else. I believe the time has come when we should observe the regular order in the Senate. There is no question that the practice of passing out time days in advance for speakers on the floor is contributing to the breakdown of the legislative processes of the Congress.

Mr. YOUNG of Ohio. Mr. President, I have the floor, and I am prepared to yield the floor. I ask unanimous consent that the statement made by the distinguished Senator from Vermont be placed in the Record after my statement.

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

Mr. YOUNG of Ohio. I yield the floor.

Mr. AIKEN. I realize that practically everything that can be said on the treaty has been said.

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

Mr. AIKEN. I yield.

ORDER LIMITING DEBATE

Mr. MANSFIELD. Mr. President, on behalf of the distinguished minority leader and myself I send to the desk a unanimous-consent request and ask for its immediate consideration.

The PRESIDING OFFICER. The unanimous-consent request will be read for the information of the Senate.

The unanimous-consent request was read, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Monday, September 23, 1963, at the conclusion of routine morning business, during the further consideration of the treaty on nuclear test ban (Ex. M, 88th Cong., 1st sess.), debate on any amendment or preamble to the resolution of ratification, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such a proposal or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such a proposition, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said resolution shall be received. All reservations or understandings already printed shall be deemed germane.

Ordered further, That on the question of the final agreement to the resolution of ratification debate shall be limited to 6 hours, to be equally divided and controlled, respectively, by the majority and minority leaders or someone designated by them: *Provided*, That the said leaders, or either of them, may, from the time under their control on the adoption of the resolution, allot additional time to any Senator during the consideration of any of the above proposals: *Provided further*, That a final vote on the adoption of

16506

CONGRESSIONAL RECORD — SENATE

September 18

the resolution of ratification shall be taken at 10 a.m. Tuesday, September 24, 1963.

Ordered further, That the Senate shall convene at 10 a.m. on September 23, 1963, and 9:30 a.m. on September 24, 1963.

The PRESIDING OFFICER. Is there objection?

Mr. CURTIS. Mr. President, I must object. I should like to ask the majority leader if there is any binding understanding as to when the time for debate on the treaty shall be used.

Mr. MANSFIELD. As I understand the unanimous-consent request, that would be in the discretion of the majority and minority leaders. I assure the Senator from Nebraska that, so far as we are concerned—I believe I speak for the minority leader also—we will do the best we can, within reasonable limits, to bring the reservations and understandings to a vote as soon as possible, so as to reserve the time on the treaty for later in the day.

Mr. CURTIS. Is there any understanding as to the order in which the reservations will be called up?

Mr. MANSFIELD. It is my understanding that the Senator from Arizona [Mr. GOLDWATER], if he has not done so already, will submit his reservation today and speak on it tomorrow or Friday, and that it is his intention to call it up the first thing on Monday morning next.

Mr. CURTIS. May I inquire whether I correctly understand that the unanimous-consent request is that the yeas-and-nays vote on the treaty itself will be at 10 a.m. on Tuesday next?

Mr. MANSFIELD. That is correct. The purpose of convening at 9:30 a.m. on Tuesday is to give every Senator an opportunity to be present. The vote will occur one-half hour after the Senate convenes.

Mr. CURTIS. I must object.

Mr. MANSFIELD. Mr. President, I suggest that the time for the vote on the treaty on Tuesday be changed from 10 a.m. to 11 a.m., and that the time of convening on Tuesday morning be 10:30 instead of 9:30.

The PRESIDING OFFICER. Is there objection to the agreement, as modified?

Mr. PASTORE. Mr. President, the Senator has reference to the final vote on the resolution of ratification. Is that correct?

Mr. MANSFIELD. That is correct.

Mr. GORE. Mr. President, I reserve my right to object only to inquire about the votes on the other motions and reservations and amendments. Is it expected that there will be yeas-and-nays votes on Monday, or would it be possible to complete the debate on the reservations and to have the yeas-and-nays votes come on Tuesday?

Mr. MANSFIELD. In response to the question raised by the distinguished senior Senator from Tennessee, I should like to say that arriving at this unanimous-consent request has taken a great deal of time. It has taken a great deal of time to negotiate. It is anticipated that the debate on the treaty would be cleared by Monday night; and that the votes would be taken on the reservations, understandings, and so forth, if requested, on Monday, thereby getting them out of the way, so that when the

Senate met on Tuesday, it would be for the purpose of voting on the treaty.

Mr. GORE. Then all Senators may be on notice that there may be yeas-and-nays votes on amendments, reservations, and interpretations?

Mr. MANSFIELD. That is correct.

Mr. PASTORE. Not amendments.

Mr. MANSFIELD. Reservations.

Mr. PASTORE. Reservations, understandings, or preambles.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Mr. President, first of all, I believe it should be made clear that on a reservation 1 hour of debate will be allowed, a half hour on each side. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. In the discussions on the proposed unanimous-consent agreement it was fully understood that no intervening business of any kind whatsoever would be brought up, including any calendar business, until the treaty had been disposed of. Is that correct?

Mr. MANSFIELD. That is correct. If on Monday additional time is needed on the treaty, we shall be happy to do our best to comply with such requests.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the agreement as modified is entered.

Mr. PASTORE. I congratulate the majority and minority leaders.

The unanimous-consent request, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Monday, September 23, 1963, at the conclusion of routine morning business, during the further consideration of the treaty on the nuclear test ban (Ex. M, 88th Cong., 1st sess.), debate on any amendment or preamble to the resolution of ratification, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such a proposal or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such a proposition, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said resolution shall be received. All reservations or understandings already printed shall be deemed germane.

Ordered further, That on the question of the final agreement to the resolution of ratification, debate shall be limited to 6 hours, to be equally divided and controlled, respectively, by the majority and minority leaders or someone designated by them: *Provided*, That the said leaders, or either of them, may, from the time under their control on the adoption of the resolution, allot additional time to any Senator during the consideration of any of the above proposals: *Provided further*, That a final vote on adoption of the resolution of ratification shall be taken at 11 a.m. Tuesday, September 24, 1963.

Ordered further, That the Senate shall convene at 10 a.m. on September 23, 1963, and 10:30 a.m. on September 24, 1963.

Mr. AIKEN. Mr. President, I realize that not much more can be said either for or against the approval of the partial test ban treaty. However, there are two or three items on which I should like to comment briefly at this time.

On September 11, the minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN], made a remarkable speech in this Chamber. In his speech, the Senator from Illinois read a clear-cut statement from President Kennedy which should have reassured all but those who are determined not to be reassured.

The Senator from Illinois then announced his unequivocal support for the test ban treaty without reservations. It was an intelligent speech for it reflected the fact that its author had studied without stint all the arguments and facts which have been presented for and against this treaty.

It was a fair and honorable speech, for the Senator from Illinois did not hesitate to give the opponents of the treaty the benefit of every doubt which they may hold in arriving at their own decision.

It was a courageous speech, for the minority leader must surely have known that it would bring down on his head the curse of the emotionally militant element of our society.

During the course of his speech, Senator DIRKSEN made reference to the large amount of mail he has received on this issue. My own mail on the test ban treaty has been quite heavy though not recordbreaking in volume. It has been recordbreaking in one respect, however: At no time in my recollection has the mail on any issue before Congress contained so many threats and vituperations as that of the last few weeks.

I want to make clear that most of the opposition to the treaty comes from conscientious people. These people really believe that the risk involved in the treaty does outweigh any possible benefits. Others have been the victims of plausible sounding propaganda.

The country is being flooded by circulars purportedly issued by organizations with highly respectable sounding names, but which are unknown to official Government agencies. These circulars contain inflammatory statements intended to make the reader hate the word "peace" and all those who dare to advocate it. They even go so far as to imply that the Senator from Illinois is opposed to the treaty and that those who do not help him kill it are either blind or disloyal.

To date, I have received many communications for and against the treaty. Counting those from California and Texas, which appear to be largely organizational mail, I would say that 60 percent of them are in opposition to the treaty. The mail from New England will run 80 percent or better in favor of the treaty.

Before this treaty is voted on, I expect I will have received many more protests against it—at least one outfit is advising its members and sympathizers to smother me with protests.

These protests might seem quite formidable indeed were it not for the fact that 190 million people in America have not protested the test ban treaty in spite of the propaganda to which they are subjected.

So long as 190 million Americans have confidence enough in Congress to leave

the decision to us, I shall believe that most of them are not opposed to the very small step toward peace which this treaty represents.

In advocating the approval of the treaty, the minority leader was representing the official position of the Republican Party and I believe also the opinion of the overwhelming majority of the American public.

The Republican platform of 1960 stated:

We are similarly ready to negotiate and to institute realistic methods and safeguards for disarmament, and for the suspension of nuclear tests. We advocate an early agreement by all nations to forego nuclear tests in the atmosphere, and the suspension of other tests as verification techniques permit. We support the President in any decision he may make to reevaluate the question of resumption of underground nuclear explosions testing, if the Geneva Conference fails to produce a satisfactory agreement. We have deep concern about the mounting nuclear arms race. This concern leads us to seek disarmament and nuclear agreements. And an equal concern to protect all peoples from nuclear danger, leads us to insist that such agreements have adequate safeguards.

That statement was not merely a campaign promise. It was a serious effort to put the party on record as urging a world without war.

It was intended to tell the world that the Republican Party is not the party of fear. It was intended to express the hope of the party that there need be no more Hiroshimas with their ghastly toll of horror and death.

I do believe, Mr. President, that fear is at the bottom of most of the opposition to the treaty—not alone the fear of losing one's life through enemy instruments of destruction, but the fear that from this very small first step there may emerge a changing pattern in the world, a pattern from which may be molded a world of universal law rather than universal war and preparation for such war.

If we should find ourselves in a position of not having to be constantly preparing for war, it would indeed change the pattern of our national economy. A substantial part of our gross national product is generated directly and indirectly from arms production and preparation for possible war. This business has always been profitable in many countries.

I can well understand the fears of management, investors, and employees that their business, their incomes, and their jobs might be curtailed if the seed planted by the treaty should grow to greater proportions.

However, I feel that this fear which is reflected in some of the letters I receive is unwarranted as far as the test ban treaty is concerned.

Secretary McNamara has already announced his intentions to ask for more money for next year rather than less. There is not the slightest possibility that appropriations for defense purposes will be materially reduced by Congress in the foreseeable future. Costs of the Defense Department have increased \$8 billion in the last 2 years and we will be very lucky if this sharp increase does not continue.

We have been living on borrowed money and borrowed time for many

years. The danger to our political system today is probably greater from monetary disaster or internal disturbances or a continued deterioration of governmental processes than it is from an enemy attack from the outside.

The question is frequently asked about the relative strength of the United States and Russia in the various phases of nuclear weaponry both offensive and defensive. No one, not even Mr. Khrushchev or our own Joint Chiefs of Staff, can answer that question accurately without a detailed examination of data furnished by the other side, a situation which is not likely to happen.

We do know, however, that neither Russian or the United States has or is likely to develop airtight defense against delivery of bombs of 1 to 50 megatons or even more.

We do know the probable effect of bombs of various strength exploding at different altitudes.

We do know that a 10-megaton bomb would destroy virtually all buildings within a distance of 8 miles from the point of explosion.

We do know that the same explosion would reduce to cinders every human being exposed within this area irrespective of race, creed, color, or station in life.

We do know that a 10-megaton bomb would start fires for a distance of 30 miles from the seat of the explosion.

We do know that a nuclear bomb explosion would burn the retinas of every living being who happened to witness the explosion from distances of up to 500 miles depending on the altitude of the explosion, thus causing total or partial blindness.

We do know that the explosion of a 10-megaton bomb would cause first-degree burns on any unprotected person within a distance of 35 miles, and second degree burns to a distance of 25 miles.

We do know that the fallout from the explosion of a 20-megaton bomb would drift downwind for a distance of over 300 miles, sentencing all people in its path to incurable misery for such life as might remain to them.

We do know—everyone of us within his own heart—that unless the nations now possessing the nuclear bomb make a determined and sincere effort to prevent its use, the time will come—and it may come quickly—when this weapon will be tested on human targets.

This limited test ban treaty in itself does not and will not prevent the use of nuclear weapons by one nation upon another. It is not intended to.

It will, however, serve as a faint ray of hope to the world that the nations now possessing the bomb are well aware of its power to destroy the progress which mankind has made over tens of centuries and that those nations will try to prevent a holocaust on earth.

Approval of the treaty will mean that a dozen other nations that have the means and the know-how to make nuclear bombs will not attempt to do so.

Not all the nations on earth will sign this treaty. A half dozen will refuse.

The vote of the Senate will tell the world whether the United States stands with most of the nations of the earth or whether we stand in company with

only Red China, France, Albania, and Cuba in our opposition.

Mr. President, with due regard for the sincerity of those who will vote against the partial test ban treaty and with full recognition of the fact that there are risks, particularly the risk of "euphoria," as well as advantages involved, I will say that since the treaty was submitted to committees of Congress on July 23 and 24, no evidence has been presented to convince me that the advantages do not far outweigh the risks.

Therefore, Mr. President, I trust that we may have a nearly unanimous vote of the Senate in favor of this first short hopeful step on a long, long journey to peace.

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

Mr. AIKEN. I am glad to yield.
Mr. MANSFIELD. Mr. President, I commend most highly the sound, solid, and statesmanlike speech just delivered by the distinguished senior Senator from Vermont, the ranking Republican Member of the Senate. He is not noted for sensationalism. He is sober and hard-working. He attended the meetings of the three committees during the course of their consideration of the treaty. He always renders a distinct service to the Senate, to his State, and to the Nation.

I express to him my personal thanks for the fine speech he has made, and acknowledge that it is another of the many important contributions the distinguished Senator has made during his 22 years of service in the Senate. I commend him.

Mr. AIKEN. I thank the Senator from Montana. I know of no one whose approval I would rather have.

Mr. FULBRIGHT. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I am glad to yield.

Mr. FULBRIGHT. I should like to associate myself with the statement of the Senator from Montana. During the committee's consideration of the treaty, the Senator from Vermont rendered most valuable service—as he always does. Not only did he make the motion that the treaty be reported from the committee to the Senate, but—in addition, and in particular—he also made the motion that it be reported without reservation. In my opinion, that enabled the committee to avoid a great deal of struggle, difficulty, and delay in dealing with possible reservations.

Therefore, as chairman of the Foreign Relations Committee, of which the Senator from Vermont is a senior member, I am greatly indebted to him for what he has done to make the work of the committee move along in a reasonably efficient way. His assistance has been of vital importance in connection with bringing the treaty before the Senate.

I appreciate very much the great importance of the service of the Senator from Vermont, both in connection with this treaty and in connection with all the other important business of the Senate. I appreciate particularly his most valuable service in connection with the treaty; and I am sure the country will, too.

Mr. AIKEN. I thank the Senator from Arkansas. Let me say that if any

guilt is connected with the activities he has described, I plead guilty. However, I must confess that my principal interest was to have the treaty reported from the committee and before the Senate, so the Senate could take action on it, and then could proceed to the transaction of its other business. That may have been a selfish motive; but, at the same time, I thoroughly believe in the statement I have made, and also in the advisability of obtaining overwhelming approval by the Senate of the test ban treaty at as early a date as possible.

Mr. FULBRIGHT. It is most fortunate that the Senator's personal wishes and interests happen to coincide with the national interest. I know of no happier combination.

Mr. COOPER. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I yield.

Mr. COOPER. Mr. President, I consider it a great privilege to have heard the speech of the Senator from Vermont. I know that all of us are naturally concerned about our position in regard to the treaty. It gives me—and I know it gives the Senate—greater confidence and assurance to know that the Senator from Vermont, the ranking Republican member of the Foreign Relations Committee, and a man of sound and practical judgment, has decided to support it.

Of course, the unknown always gives cause for concern; but the risk of nuclear war is known, and I believe it also gives the leaders of the Soviet Union cause for concern.

Mr. AIKEN. Yes. I feel that the Senator from Kentucky is—as usual—correct in his analysis of the situation. It is fear that prompts the opposition to the treaty; but I have no doubt that the same fear or apprehension is held by people in other countries—probably including the Soviet Union itself. I feel that we always live in the shadow of fear of some kind. However, the fear of a nuclear war seems to transcend most of the other fears that have been dreamed up over the centuries and during many generations. It is in the hope of taking a very small, first step toward allaying this fear and toward making it more bearable that we are supporting this partial test ban treaty.

Mr. COOPER. I hope—and I am sure the Senator from Vermont does, too—that not only will it be a first step, but it will also lead ultimately to a completely enforceable ban on all nuclear testing, including testing under ground, and it also ultimately will bring to an end the nuclear arms race.

Mr. AIKEN. I share the hope of the Senator from Kentucky that this is only a first step; but I fear that future steps probably will be equally as difficult, if not more so, and that they may be longer in coming to realization.

However, if we once give up hope and give up the effort to achieve a world without war—particularly, a world without nuclear war—we have a right to be very discouraged.

I do not believe the world has given up hope. Of course, as I have said, every Senator's office has received probably from 2,000 to 10,000 communications on

the subject of the test ban treaty. Possibly the majority have been received from the two States in which apparently the opposition is well organized.

However, I believe we find a hopeful sign in the fact that more than 190 million of the American people have not written to Senators about the treaty, and are willing to leave the decision to the Senate.

Mr. PELL. Mr. President, the Senate is now concluding a thorough, exhaustive debate on the ratification of the partial nuclear test ban treaty.

In the back of many of our minds is the thought that if we do not do something to prevent our present international atomic "danse macabre" upon the precipice of nuclear coannihilation, one of the dancers will make the inevitable slight misstep and fall into the crater's abyss, and that one will not be immolated alone.

It has been brought out that the Soviet Union could conceivably cheat and engage in small covert tests. Then, too, we have examined the record of the Soviets with regard to the scrupulousness with which they have honored past obligations, and we have found them lacking.

As opposed to these risks, however, we are presented with mounting evidence of the apparent adequacy of our present defense posture.

Secretary McNamara has stated unequivocally that we now have the capacity to absorb a full-scale nuclear attack by the Soviet Union and still destroy them in retaliation. They, too, presumably have a similar capacity.

To put the matter in different terms, the estimated total explosive power of the combined nuclear stockpile now held by the United States and the Soviet Union adds up to approximately 50 billion tons of TNT, which is enough to put a 10-ton bomb over the head of each human being in the world.

We have now the actual numerical edge in tests in that the total number of announced nuclear tests conducted by the West has been 315, while those conducted by the Soviet Union have been estimated at 126. Here we find the West with a numerical superiority over the Soviet Union in testing experience. Of these totals, the West conducted 213 which emitted radiation into the atmosphere and the Soviet Union 125, according to Western estimates.

The continuous injection into the atmosphere of the poisonous strontium 90, resulting from atomic tests, has already gone higher than we as parents, and as progenitors of yet unborn generations, can permit.

The political platforms of both the Democratic and the Republican parties have called for the ending of atmospheric nuclear testing along the lines of the treaty we presently have under consideration. Specifically, the 1960 Democratic platform supports "means for ending nuclear tests under workable safeguards." And the 1960 Republican platform reads "we advocate an early agreement by all nations to forgo nuclear tests in the atmosphere."

The treaty upon which we are now being asked to give our advice and consent does just what both our parties' platforms seek. In fact, not to approve it would be a breach of faith with our people.

In this regard, and transcending national politics, was the eloquent plea to consent to the resolution of ratification of the minority leader, Senator DIRKSEN, who placed his honor, his principles, and his belief above limitations of partisan consideration or the possible results of mailbag pressures.

There is little doubt in my mind as to the overall advantage to the United States and to mankind—for we cannot truthfully separate ourselves from mankind—of ratifying the treaty. In the course of the debate, I have sought continuously to understand the arguments of the opponents of the treaty. I do understand and realize these arguments are presented in good faith and are based on points of valid criticism. Yet, I continue to believe that the benefits of ratification far outweigh rejection and I look forward gladly and proudly to voting for the treaty's ratification.

Mr. CURTIS. Mr. President, in rising to speak on whether or not the Senate should advise and consent to this treaty, I speak for no one but myself. I realize that I must search my mind and heart and assume the responsibility. The future of the United States of America and the hope of establishing a just and lasting peace have been my guidelines.

In my opinion, every Member of the U.S. Senate is acting with integrity and with the highest sense of patriotism. I disagree violently with some of their positions, including utterances that have been made concerning further steps to be taken. But, my challenge goes to their strategy and to the wisdom of their proposals for dealing with the Communists and not to their motives. All I ask of those in the Senate and throughout the land who disagree with me is to grant to me the same recognition of honesty of purpose.

I yield to no American in my dread of war and my desire for a just and lasting peace. I served in Congress through two wars, when the draft calls were heavy and the casualty notices were numerous.

All of us have seen the relentless march of communism. All of us have witnessed the expansion of atheistic, imperialistic, cruel and destructive communism, the takeover of millions of square miles of the earth's surface and the bonding of millions of helpless people into slavery. I, too, have observed these things and I want to act in the best interests of my country above all else.

The Constitution of the United States imposes upon this Senate the power and responsibility to assist in making treaties. Our powers and responsibilities are not limited to ratifying the act of the Chief Executive nor can we discharge those responsibilities by merely responding to world propaganda forces.

In debating this treaty there are many points to consider. There are a few very fundamental questions that must be

asked. Will this treaty bring a just and enduring peace to our country and to the rest of the world? Will it lessen the strength of the United States as a force for maintaining the peace? To repeat, will it aid or hinder this Nation's leadership in the free world's defense? Can we serve the interests of our country by embracing Russia in a solemn treaty? Will the Communists honor the treaty? Are there other overriding considerations such as the danger of radioactive fallout so paramount as to persuade us to accept a treaty if otherwise it is not in the interest of the United States?

I, too, have attended the committee hearings, both open and executive. I, too, have read secret testimony taken in committees when I was not present. I, too, have sought the wisest counsel that I can find.

First, let us consider what it is that maintains the peace. We have seen country after country go under the heel of the Communist tyrants. There is a long list of them. I call attention to the cruelty, the murder, and the treachery of the Communist attack upon Hungary only a few years ago. We have witnessed helpless people succumb to the might of the atheistic Communists. I call attention to the establishment of a Communist beachhead in the Western Hemisphere in Cuba. We have read about the ill-fated Bay of Pigs invasion that failed, not because it lacked in hope or good intentions, but because it lacked the necessary military strength to make it succeed.

Following World War II the leaders of our Government did collaborate with Communist Russia. An example of faith in the Communists was expressed in an interview published in Life magazine in 1943 by our Ambassador to Moscow, Mr. Joseph E. Davies.

Mr. President, I ask unanimous consent that the interview be printed in the Record at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. CURTIS. I will not take time now to discuss the utterances of a long list of well-intentioned but mistaken people who, following World War II, clamored for us to share our atomic weapons with the Communists. Those utterances were made and everyone knows it.

It remained for Winston Churchill to come to the United States and make a speech at a little college in Missouri. I believe it was Westminster College. It was there that he shocked some of the complacent people of America by using the term "Iron Curtain." He warned the West what the Communists were doing behind the Iron Curtain. Winston Churchill said the only thing that stood in the way of the Communists making all out war against our country and his country was the possession of the atomic bomb by the United States.

When are we going to realize it will require the regeneration of the hearts of men in every country of the world to bring a just and lasting peace? I, too, pray and hope for that time to come, but in the meantime I am convinced we must have a strong national defense. Until that great day comes when the

spirit of the Prince of Peace shall rule in the hearts of men all over the earth we must have police forces to protect us from the criminals. We must have a national defense capable of resisting any attack on our country or we shall be in the gravest danger.

Peace is maintained by being strong. A couple of weeks ago I appeared on a television program. A distinguished newscaster presided. He, with good intentions, stated a fallacy. He said that in the past the peace had been kept through a balance of power. The fact is that the peace has been kept through an imbalance of power. Our military superiority has prevented the Communists from attacking us.

I wish that every Senator had read the testimony of Gen. Thomas S. Power before the classified portions were deleted. He is commander in chief of our Strategic Air Command and Director of the Joint Strategic Target Planning Staff.

If war were to start tomorrow, upon the shoulders of General Power would fall a greater responsibility to protect our cities and towns, our men, women and our children, and our factories, than would fall upon anyone else.

In presenting General Power, the Senator from Mississippi [Mr. STENNIS] said:

General Power commands and controls the most powerful strategic striking force which has ever been assembled in the history of the world. The long-range missiles and manned bombers of SAC, in combination with our Polaris submarines, represent the very heart of our retaliatory force and of our deterrent of a catastrophic nuclear war.

In the past, testing has played a vital role in the development of the nuclear weapon systems which are the basis of the superiority of our strategic forces. It is essential to our national security that this superiority be maintained in the future. Thus the crucial question with which we are confronted is the impact which the proposed limitation on nuclear testing will have on the integrity and survivability of our strategic retaliatory forces.

As the operational commander of these forces, General Power is in a unique position to assist us in reaching correct conclusions on a number of troublesome questions which have arisen during the course of this inquiry.

Here are some of the things General Power said:

I don't think it is in the best interests of the United States. That is the basic reason.

Senator STENNIS. That is a mighty good reason, and if you will just give us the details of that now, we will be glad to give you such time as you wish.

General POWER. I feel that we have military superiority now, and I feel very strongly that this has resulted in a world that has been free from nuclear warfare. I have a lower confidence factor that we can and will maintain that military superiority under the test ban treaty than I have under a condition in which we do not have a test ban treaty.

Senator STENNIS. Would you give more of the details of the reasons why it would affect us adversely.

General POWER. Well, you mentioned in your opening statement one of the very important reasons. There are voids in our knowledge about the vulnerability of our

ballistic missile systems. [Deleted.] That is one.

At the same time we have been switching the emphasis from the manned bomber to the ballistic missile, so more and more of your deterrent posture is going to depend on this weapon system.

For example, in 1959 we had better than 2,000 bombers in the Strategic Air Command, and 10 years later, in 1968, we will have some 700. We will in the meantime have added better than [deleted] ballistic missiles.

Now to fill that void we have introduced the ballistic missiles. This missile has never been operationally tested all the way through from stockpile to detonation, and we have never tested such things as the vulnerability [deleted] due to shock wave propagation, due to blackout, there are many voids in our knowledge as to the operational capabilities and vulnerabilities of this weapon system.

In particular the RV [deleted] thermal effects, blast effects—cannot really be tested from my point of view as an operator until you test it in the nuclear environment, and as I am responsible for writing the war plans of the free world, I have to deal with facts.

I have to deal with proven data, and if too much of the data is extrapolated or theoretical, I do not have a high confidence factor that I have a sound plan. We are dealing with the security of the United States, and if facts can be obtained, I want to have them.

Senator STENNIS. You enumerated several points, areas in which testing was incomplete. Perhaps you would want to develop each of these points a little further. You say you have to extrapolate too much, and they hand you information that you are not certain of as to its completeness. What fields are they now? Go over it again, if you will.

General POWER. In all fields. We have never completely tested any of the nuclear weapons in SAC's arsenal.

Senator STENNIS. I want it spelled out in detail, because there have been general assurances here that everything has been done that could be done.

General POWER. Let's take the bombs first. Senator STENNIS. Yes.

General POWER. I have some [deleted] different types of nuclear weapons in the Strategic Air Command arsenal. None of them have been tested operationally from stockpile to detonation. I think this is a mistake. I think they should be tested.

The only way you can prove a weapon system is to take it out of the stockpile in a random pattern and let the tactical unit take it out and detonate it. If you haven't done this, there is always a chance that something has happened that we won't discover until too late. [Deleted.] The point I am making is that, unless you test the very thing that is in your arsenal you are never certain, and the stakes are so high I feel we must be certain.

I would like to operationally test all my weapons. This means the missiles should be fired, and these reentry vehicles detonated in space to make sure that the warhead will go off and to test our operational factors.

Senator STENNIS. I think it is highly important that you enumerate the problems. You started with the nuclear weapons. Just go right on down the line and detail what has not been done and how the ban on nuclear testing would cut it off, and the extent to which it would hamper you.

General POWER. We have not tested any of the operational warheads in our inventory. That includes the missiles and the bombs.

Senator STENNIS. Let me interpose there. The test ban would not change our policy on that, because we are not doing it anyway. What is your response to that?

16510

CONGRESSIONAL RECORD — SENATE

September 18

General Power. I would urge that they do it. I have repeatedly requested that they do it.

Senator STENNIS. And you think that our information in that field is incomplete under present conditions?

General Power. That is correct.

Senator STENNIS. And if we go into the test ban agreement, we would be precluded from even changing our minds.

General Power. That is the very fundamental first step. Now there are great voids in our knowledge on such things as [deleted] shock wave propagation, blackout, communications, and command and control that, in my opinion, can be obtained only through atmospheric testing.

In the field of high-yield weaponry, I feel that the Soviet Union now has a technical lead as a result of their tests in 1961 and 1962. They have a lead in their weight-to-yield ratio in the big bomb categories, and I feel that we should overcome that lead. You can only do this through testing in the atmosphere in my opinion.

Some of this can be obtained in underground testing, but I don't think you can fully get the answers unless you explode a weapon of this size, and I am talking about yields above [deleted] megatons.

Now in the field of clean weapons, it is of tremendous importance to everybody in this world that we get these weapons as clean as we can so we don't have the fallout effect which tends to prohibit their use. Then, if you do have to use them, they will not cause unnecessary or indiscriminate killing. I think that, with testing in the atmosphere, you could arrive at a clean weapon faster than you can in underground testing.

We know that the Soviet Union now leads us in the field of weight-to-yield ratio and in the cleanliness of these high-yield weapons. There is evidence that they have advanced very far along the spectrum of the state of the art. [Deleted.]

My instinct tells me that it is to their advantage to have this test ban treaty now. [Deleted.] I just feel we have obtained our position in this world today, our military superiority, through our weaponry, through our scientists, and through testing.

We could not be in the position of talking with confidence that we could prevent a thermonuclear war unless we were strong, and we basically got our strength through these weapons and through testing. I just feel that the surest way to prevent war—and that is my goal, and I feel very strongly about it—is to have overwhelming strength so that it is ridiculous for anybody to even think of attacking the United States. That is what it has been in the past and that is what it is today.

It has unpleasant features, yes, but the surest way in my opinion of preventing a thermonuclear war is to have overwhelming strength, and I think this is one area in which we can beat anyone.

I think our science, our economy, and everything else can help us win this race. We have won it in the past, and I think we can continue to win it. But it takes the will to do it. That is an off-the-cuff summation about how I feel about it.

I am seriously concerned about losing our military superiority, because I think that this superiority has resulted in a peaceful world as far as nuclear war is concerned, and I can't think of anything more important than to keep the world safe from a nuclear war.

I think if we get into one, there will be no winners, only losers, and I think mankind will have reached its highest plateau of stupidity if it tries to reach its aims and goals or settle its differences with nuclear weapons.

However, I think that our formula to prevent this has been a successful one to date, and it is a real simple formula. We have

had overwhelming military superiority to the point where it is ridiculous for Mr. Khrushchev to even seriously contemplate attacking this country. Now I maintain that it is possible to hold this type of lead, and that is what I recommend.

Senator JACKSON. In other words, you feel that peace depends not on the maintenance of a balance of power, but a maintenance of an imbalance of power in favor of the West.

General Power. That is correct.

Senator JACKSON. Over the Soviets.

General Power. Words mean nothing. Our record speaks for itself. The world knows we are not going to use these weapons to bully people, to accomplish any of our external goals, or to take over any territory. They are in mature, moral hands. I think we should maintain this type of superiority in those mature, moral hands.

Mr. President, the testimony of the Joint Chiefs of Staff condemns this treaty. They state absolutely it has military disadvantages. I recommend that Senators read their entire testimony. We must heed the enumeration of the military disadvantages to this country as stated by the Chiefs of Staff. I asked the Chiefs of Staff, if this treaty went into effect, would it lessen the cost of our defense? The reply was that it would increase the cost of our defense.

One of the greatest patriots I know, a soldier, a man who has given much of his lifetime in defense of this country and in defense of liberty, is a distinguished native of my State, Gen. Alfred C. Wedemeyer. Before asking to have printed in the body of the RECORD his letter to me, I want to read a few significant portions. Speaking of the military, he says:

We have fought and won two wars at great sacrifice in lives and treasure. In each case we have lost the peace, primarily because our political leaders and their representatives were naive, trusting, and inept. The Versailles Treaty, Yalta, Teheran, Potsdam, Korea and Cuba were the products of political minds, not military.

I commend to the Senate General Wedemeyer's letter, and I ask unanimous consent that it appear at this point in my remarks.

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

BOYDS, Md.,
September 17, 1963.

Hon. CARL T. CURTIS,
U.S. Senate,
Washington, D.C.:

I gladly comply with your request for views concerning the test ban treaty now under consideration in the U.S. Senate. As you know, I have spent most of my mature life in the military service, striving to improve knowledge and to acquire experience in connection with the security of our country, both military and economic. One of your colleagues across the aisle a few months back expressed the opinion that military leaders do not have the capability nor the responsibility of considering economic and political factors.

We have fought and won two wars at great sacrifice in lives and treasure. In each case we have lost the peace, primarily because our political leaders and their representatives were naive, trusting, and inept. The Versailles Treaty, Yalta, Teheran, Potsdam, Korea and Cuba were the products of political minds, not military.

I read in today's paper that the same Senator mentioned above now suggests that we "emulate the seagull and devise suitable

forms of ceremonial combat in which no one is hurt." If the Members of Congress take seriously such an ill-advised suggestion by the chairman of the Foreign Relations Committee, the much discussed test ban treaty should be referred to the American people in a national referendum. It is my considered judgment that this treaty presents the gravest problem that has confronted our Nation in many years. If Congress were to be influenced in this vital matter by Senator FULBRIGHT's levity—the seagulls may not be hurt but millions of Americans would be at the mercy of Khrushchev and his henchmen in the Kremlin.

While commanding troops in combat, I frequently visited the wounded. They would often ask me, "Why are we here in this far-away place? What are we fighting for?" I explained that we were fighting to protect our rich heritage of freedom and to make available to less fortunate peoples similar opportunities for individual freedom and the dignity of man. My point is simply this, CARL. If U.S. Senators taunt military leaders and make light of a terrible threat to the security of the United States, what is there left to defend?

Every sensible person would be happy to support a disarmament program. However, before this could be done safely, of course, we must eliminate the reason for the existence of armies, navies, and air forces. In American communities where people speak the same language and have the same customs we must maintain restraining forces to protect those who would obey laws against those who would violate them. In this test ban situation we are not dealing with people who speak our language, literally or figuratively. The leadership of the Soviet Union has arrogantly boasted since the Communist revolution more than 40 years ago that they will communize the world. Their program is being carried out by a disciplined, highly trained membership fanatically dedicated to victory. If they are unsuccessful in conditioning peoples' minds to accept step-by-step surrender through the employment of propaganda, economic pressures, and Machiavellian maneuvers, then they invariably resort to violent and diabolical means.

The President has described the test ban treaty as a first step toward disarmament. This has great appeal to the American people. However, in the present international environment we must retain overwhelming military strength and realistic safeguards. The cost in materials and dollars of such a program would be high, but we would be providing realistic protection for our most precious commodity—American lives and freedoms. A considerable amount of money could be found in the foreign aid program which presently is directly or indirectly strengthening the sinews of our enemy.

The Soviet Union and her satellites continue ruthless aggressions and disregard of treaties and obligations. They will only honor agreements when advantage accrues to them. President Franklin Roosevelt may have had some excuse for his naivete in dealing with this international conspiracy but since his time, through the valiant efforts of civic-minded patriots and Members of Congress, the complete record of Communist perfidy has been made readily available to political and military leaders and to the American body politic. Recently the President with commendable fervor explained to the Nation that Mr. Gromyko, the Soviet Foreign Minister, had lied to him about the presence of Soviet missiles in Cuba. This is the same Gromyko who recently initiated the test ban treaty which the President is now urging you and your fellow Congressmen to ratify in good faith.

I do not agree with Secretary of Defense McNamara or the Joint Chiefs of Staff if they accept parity with the Soviet Union in

1963

CONGRESSIONAL RECORD — SENATE

16511

the development of nuclear weapons. It is my belief that we must generate and maintain a working superiority in this field. If the comparative strengths are in delicate balance, the leaders of the Kremlin would be inclined to risk war.

I urge you in behalf of the people of the State of Nebraska which you so ably represent, in behalf of all our countrymen, and in fact, in behalf of mankind to vote against the test ban treaty in its present form. I strongly urge the introduction of an iron-clad reservation which will provide a fool-proof inspection system. Without such reservation, it is my judgment that the test ban treaty, if approved, would unacceptably jeopardize not only the military security of the United States but also of the free world.

A. C. WEDEMEYER.

Mr. CURTIS. Mr. President, I read in the newspapers that the Secretary of Air was scheduled to attend a reception of the Air Force Association, a group dedicated to improving our Air Force and maintaining it at its very best, not for aggression but for peace. The Secretary of Air canceled his appearance. Why? Because they had the audacity as free Americans to express an opinion on a matter pending before the Senate of the United States. What kind of notice is that to others who might have an honest disagreement? What kind of notice is that to other organizations that might want to assemble and discuss a vital public question? What kind of notice is that to Members of the Senate who might disagree with the wisdom of this treaty?

Speaking of the defense strength of this country as a means of preserving the peace, I want to pay my respects to the Honorable RICHARD RUSSELL, the distinguished and experienced Senator from the State of Georgia. He is the Chairman of the Armed Forces Committee. Does not his 30 years of experience on that committee and on a predecessor defense committee qualify him to express an opinion? Does not wisdom compel us to pay heed to what he says? Since Mr. RUSSELL has served on the defense committees, 40 Secretaries of Defense and of the separate branches of the service have come and gone. There have been 25 Secretaries come and go since he has been chairman of the committee.

Many fine men are called to serve as Secretary of Defense. They come from private life into totally new surroundings and when any one of them quickly and glibly says "Yes" to every query pronounced to him concerning a matter proposed by his superior it causes me to wonder. I could not do it. I do not think anyone else could. I want to give heed to what Senator RUSSELL has to say about this treaty.

Senator RUSSELL is not a maverick. He loves his political party as I love mine. He feels an attachment to the individuals in his State whose political beliefs agree with his, just as I feel an attachment to the people who adhere to the same political principles as I do and who work unselfishly time after time to elect me to this office. It was not easy for Senator RUSSELL to oppose his administration. He spoke from deep conviction from the heart and from a desire to

serve this country. I, for one, am not going to brush his statements aside.

May I also pay tribute to the Honorable JOHN STENNIS, of Mississippi, the chairman of the Preparedness Investigating Subcommittee of the Armed Services Committee, and all the other members who joined with him in their scholarly report. These men are experts in matters of defense. They are not seeking partisan advantage. They do not want the United States to adopt the wrong course. They are not warmongers. I would like to list the disadvantages of this treaty enumerated in the report of Senator STENNIS and his committee. They are as follows:

First. The United States probably will be unable to duplicate Soviet achievements in very high yield weapon technology.

Second. The United States will be unable to acquire necessary data on the effects of very high yield atmospheric explosions.

Third. The United States will be unable to acquire data on high altitude nuclear weapons effects.

Fourth. The United States will be unable to determine with confidence the performance and reliability of any ABM system developed without benefit of atmospheric operational system tests.

Fifth. The United States will be unable to verify the ability of its hardened underground second-strike missile systems to survive close-in high yield nuclear explosions.

Sixth. The United States will be unable to verify the ability of its missile reentry bodies under defensive nuclear attack to survive and to penetrate to the target without the opportunity to test nose cone and warhead designs in a nuclear environment under dynamic reentry conditions.

Seventh. The treaty will provide the Soviet Union an opportunity to equal U.S. accomplishments in submegaton weapon technology.

Eighth. The treaty will deny to the United States a valuable source of information on Soviet nuclear weapons capabilities.

Does anyone doubt the great and growing strength of the Soviet Union? It is not limited to a manned air force and submarines. Does anyone doubt that they have missiles, intercontinental missiles, aimed at us? Does the Congress have a responsibility to strive for the surest defense against a missile attack? I hope that I am not termed obsolete when I quote from the Constitution of the United States. It says that the Congress shall provide for the common defense.

We face many problems in our defense, but I do not happen to hold to the belief that certain things are impossible in the field of science and invention.

The President has stated that missile defense is beyond our reach. A few days later Secretary McNamara, using a more positive approach, explained that even without the experiments prohibited by the test ban treaty we will be able to gain the information needed to plan our missile defense. Are these two state-

ments contradictory? We must assume that they are compatible.

The President did not say that a partial defense against missiles is impossible. We should interpret his statement as the reasonable assertion that complete defense against a Russian missile attack is not likely to succeed.

In fact, missile defense is an extraordinarily difficult task. Missiles move with speeds exceeding that of sound, or of the fastest plane or bullet. Several missiles may arrive in a single salvo. They may be accompanied by dozens of decoys. We must discriminate between the real missiles and the decoys, and then destroy all of the "hot" missiles. All of this must be done before the missiles reach a distance within a few miles of their target. A completely satisfactory solution is unlikely indeed.

Secretary McNamara pointed out on the other hand that many of the vital problems of missile defense can be solved without atmospheric testing. We will be able to develop the radar needed to observe the incoming objects. We can study the fine points which may permit us to distinguish a bomb from a decoy. We may use underground tests to develop the best anti-missile explosive.

But there are some things we cannot do. We cannot test our defense setup against a simulated attack. We cannot build up the body of experience needed in practical matters of some complexity, would we dare to build our Navy without having ever launched a steamship? Would we have confidence in our fighter planes if experience with them were restricted to tests in a wind tunnel?

Specifically we should know in what way our own defensive explosions interfere with each other and with the observation of other missiles in the same salvo. We are hunting a pack of wolves and all the wolves must be destroyed. We are using ammunition, the flash of which may blind the hunter.

We cannot make a direct hit on each incoming missile. We must use nuclear explosives as a defense against nuclear warheads. Such nuclear explosives can kill from a distance. But what distance? Do we need to vaporize the incoming object, or will lesser damage suffice? If the surface of a missile is damaged, its fast passage through the atmosphere may complete its destruction. Experience in all these matters is badly needed.

The Russians have performed many more atmospheric tests in the missile age than has the United States. The Soviets have claimed that they have solved the problems of missile defense. These claims may be empty boasts, but for us to disregard them may be a deadly peril. The recent book by the Russian, Marshal Sokolovsky, entitled "Military Strategy," leaves no doubt about Russian determination on missile defense.

It is to be noted that Secretary McNamara did not say that our missile defenses will be actually deployed. He mentioned no date; he made no commitment. Will lack of atmospheric experimentation induce enough doubts in our minds to tip the scales away from safety? The Russians may try to build

up their defenses and may well succeed, while we may never give missile defense a full trial.

It may well be that a massive Russian attack will penetrate any defense we can install. But we may parry any small attack that the Chinese can mount during the 20th century. We are worried about proliferation. We can and we should defend ourselves against its consequences. Missile defense may turn out to be the correct move with which to counter Chinese nuclear power.

The announcement of the test ban was followed by the President's pessimistic evaluation of our missile defense. We must hope that these two facts are not related. If our interest in test cessation diverts our effort from missile defense, then the test ban will not have served our security.

We must bend our efforts toward an early and successful plan for missile defense. The ban will certainly impede our effort and this fact alone is a strong argument against the ban. The Russians may well be ahead of us in missile defense. If so, we shall have a difficult time catching up with them. This is an even more telling argument against the test ban treaty.

Our emotions have been aroused by those who run away from the facts and talk about Hiroshima or Nagasaki, and then say that I am for something that everyone condemns. Let us face the facts. The defense against a nuclear missile attack is dependent upon testing in the atmosphere, and we are proceeding to tie our hands in that field. I ask, who is it that is concerned about the terror of a nuclear attack?

The missile-atomic age has moved our country into the front line of a possible war. A treaty that weakens our missile defense endangers the security of our military defenses, our cities, and our homes.

I call attention to the words of one of the country's most distinguished citizens on the necessity of military strength as an instrument of preventing war and keeping the peace. I want to quote to you what Adm. Lewis Strauss had to say about this. He said:

May I be so bold, in conclusion, as to call to mind a fact repeatedly experienced and then forgotten through the generations. Because civilized man abhors war, he is attracted by any apparently reasonable proposal that is labeled "peace."

Too often, however, and too late, a pact hailed by a hopeful majority as signaling "peace in our time" actually turns out to be a first step on the path to disaster.

In the past, it has been only our strength which has kept the peace. For many years, our strength will be our surest, perhaps our only assurance of peace.

Many well intentioned and well informed people have fears about this treaty. When I use the term "fear," I use it in its connotation as relating to being prudent and not in any sense indicating cowardice. Will anyone deny that such fear exists in the minds of many Senators? Millions of Americans fear this treaty. Many members of the Armed Forces who were not called to testify have privately expressed grave fears about this treaty.

Is it our duty to allay their fears with promises? Or do we have a duty to do our very best to ascertain the truth of these fears? Much has been said about the fear of injury to human beings from radioactivity that occurs in fallout from a nuclear explosion in the atmosphere. Good people have been concerned about it. Designing people have used it as a propaganda weapon. Fear of radioactivity has been preached to the masses in the far corners of the earth.

Many have spoken and written about it, and I have done my best to read the testimony and secure the opinions of the best authorities. While there is disagreement on the subject as to the degree of this danger, there is nothing in the hearings to give us sufficient reason to advise and consent to a treaty on this basis.

After I had read the material of one of the top scientists in the United States, I sought a conference with him. We talked and we exchanged some correspondence. I asked him to find for me an accurate statement on this radioactivity problem written in layman's language which I would understand, which at the same time was scientifically accurate. He referred me to the book entitled "Nuclear Ambush," by Earl H. Voss, a careful writer and a distinguished Washington newspaperman. The book was published in 1962. This scientist directed my attention to certain pages of Mr. Voss' book. I want to read what he has to say:

This excursion into the basic science of radiation has shown that the hazard of nuclear test fallout is trifling—3 to 5 percent—compared to background radiation hazards the world accepts without question. How distorted the thinking has become can be made clear by comparing fallout with other hazards, using some popular statistical techniques.

Over the past 20 years, in the United States, there have been six fatal accidents and a small number of injuries to atomic energy workers from ionizing radiation. For most of these 20 years automobile accidents have been causing more than 30,000 deaths per year. But each of the 4 radiation accidents that caused 6 deaths among atomic energy workers has received worldwide publicity; the fact that over 100 nuclear-energy workers have been killed in automobile accidents alone during the same period has gone unnoticed.

Smokestacks belch millions of tons of acid, silicone, beryllium, lead, and arsenic—all widely suspected to be cancer agents—while scientists are sifting the air for faint traces of radioactive fallout.

Living in a brick house gives a person 20 times the radiation dose one gets from fallout. But world attention has been concentrated on limiting the strontium 90, not on finding a substitute for bricks. There is no known case of moving from a brick house to a frame house to avoid radioactivity.

Luminous-dial wrist watches give off as much as 10 times the radiation dose that fallout produces.

Science suspects automobile exhausts, as it suspects fallout, of producing cancer. But no one has suggested declaring a moratorium on automobile transportation, or even making a multi-million-dollar investigation of auto exhausts.

Principally because of the fallout problem, science has been stimulated to learn much more about radiation as a cause of cancer and other health problems than it knows about almost any other occupational or

environmental hazard. Benzpyrene, for instance, was discovered in the early 1930's to be a powerful cancer-producing agent in mice. Combustion of petroleum by autos yields more than enough benzpyrene to produce a cancer hazard. In large American cities, there is so much benzpyrene in the air that it settles on windowsills in measurable quantities. But there has been no scientific investigation of the hazard of benzpyrene at low doses.

"I presume that we want to save thousands of lives in this country every year and we could just abolish the manufacture of automobiles and go back to riding horses," Senator BOURKE HICKENLOOPER, of Iowa suggested facetiously in one committee hearing on fallout. "It seems to have struck a balance in the minds of people that transportation is important and we keep making automobiles, people keep getting killed by the thousands on the highway every year. We are all sad about that."

On the east coast, the annual radiation from natural sources is about 0.1 roentgen per year, while Denver and other large Colorado cities get about twice that amount from natural background sources. Denver is expanding despite this health hazard. And New York reports a higher rate of leukemia than Colorado, presumably from causes other than radiation.

In southern Illinois, where the drinking water contains unusual amounts of radium, persons store about 10 times as much radium in their bones as those living in Chicago. But there is no significant difference in the bone-cancer rates so far detected.

People living in Albuquerque, N. Mex., annually absorb much more radiation in their mile-high homes than do people in Washington, D.C. The excess is greater than that received by Washington residents from all bomb-test fallout to date. Yet most of the citizens of Albuquerque continue to reside there.

If the incidence of lung cancer from cigarettes is assumed to be linear, that is, depending on the size of dose, as leukemia is assumed to be linearly proportional to fallout, one scientist has calculated that two cigarettes per year can produce as much lung cancer as fallout can produce leukemia.

Using the same statistical technique, pollution of the city air can be regarded as a comparable hazard. A few hours spent in the city by country folks would produce lung cancer to the same extent as fallout produces leukemia.

It would be rash to claim that small radiation doses have no effect on humans in increasing bone cancer and leukemia. But it would seem reasonable to conclude that if there is any increase in the incidence of these diseases because of fallout, it is so slight as to be unnoticeable when compared with other suspected causes of bone cancer and leukemia.

The directly proportional or linear theory can be applied to other harmful phenomena in modern society.

One's life expectancy can be reduced about 9 years by smoking a pack of cigarettes a day, according to one statistical calculation based on the linear theory. This is equivalent to shortening one's life by one hour for each cigarette smoked.

A sedentary job instead of one involving exercise reduces life expectancy by 5 years, compared to the 1 to 2 days life-shortening due to worldwide fallout. Being 10 percent overweight costs one a year and a half. Living in the city instead of in the country reduces life expectancy by 5 years; so does remaining unmarried.

The point here is that it can be misleading in the extreme to assume that one suddenly discovered factor, like fallout, is the sole cause for some change picked at random from a whole spectrum of causes and changes.

Nor can it be considered completely valid to contend that all mutations are bad. Students of evolution say that it was genetic mutation—thousands of years ago, when the natural background level of radiation presumably was much higher than it is today—which produced man in his present form. It can only be said that mutations are neither all significant nor all bad.

As more is learned about cancer, doubts are increasing that low doses of radiation produce noticeable or significant effects. Both cancer and leukemia are sometimes produced by indirect methods not involving a direct hit by a radioactive particle or ray on a human cell. Many have assumed that radioactivity makes a direct hit on a single cell and starts a chain reaction of cancerous cells. If two mutations instead of one were found to be required to produce cancer, however, then instead of 100,000 cases of leukemia produced over the centuries by fallout, there might be as few as 100 cases, over millennia.

The theory that cancer is caused by a single mutation that gives rise to a growing colony of cancer cells was in vogue some years ago but is passing out of fashion. Scientists advancing the proportional theory in relation to fallout have been "almost exclusively" * * * quite unfamiliar "with recent advances in cancer knowledge.

Add to these difficulties the imprecise measurements of the fallout hazard, that are possible with present techniques, and there develops a wide range of uncertainty, mainly on the side of doubt as to whether there is any health hazard in test fallout at all. Fallout doses are so low that they cannot be used on mice. As has been noted earlier, millions or billions of mice would have to be bred in laboratories before any genetic effects would be noticeable from even such relatively high doses of radiation as 10 roentgens.

"Hot spots," or clusters of radioactivity from tests could develop in populated areas, but in experience since 1945, there is no recorded case of harm to human or animal life.

Most scientists feel that while past testing has not presented a health hazard, big megaton explosions of the order of magnitude exploded by the Soviet Union in 1961 and 1962 could eventually accumulate fallout hazards of serious proportions. Heavy testing in the atmosphere is not a realistic prospect, even after the Soviet series of 1961 and 1962, however. The United States has signified its intention of confining the great proportion, if not all, of its future tests underground, where there will be no radioactive fallout hazard.

The greatest hazard might come from newly emerging nuclear powers if they developed dirty weapons. Regulation of their atmospheric testing could become an issue in the next decades.

How did the unrealistic fear of fallout get such a grip on the world? A rather detailed study of the test ban's history shows there were many forces at work, some informed and some uninformed.

Whether the treaty is finalized or not the United States will proceed to do as much testing as possible underground and it may well be assumed that we will make further advances in producing clean bombs. However, a treaty that will completely prohibit testing in the atmosphere would seriously hinder our national defense. At the same time the treaty will not lessen the radioactive fallout from nonsigners such as Red China, whose bombs will be dirty bombs, nor will it lessen radioactive fallout caused by treaty breakers.

Mr. President, can we trust Red Russia? We here in exercising our treaty-

making power are not acting for ourselves. We are acting for the United States of America, its people, its institutions, its future.

Just who signed this treaty for the Russians? It was the Soviet Foreign Minister, Mr. Gromyko. About 11 months ago, Mr. Gromyko went to the White House and told the President that the Russian Communists had no missiles in Cuba. The facts were the whole country was terrified to learn that missiles were there pointed at a large portion of the United States.

On October 22, 1962, the President, in justified outrage, described the barefaced deceit to which he had been subjected. Before the whole world the President branded Mr. Gromyko's statements false.

Would I be regarded as naive to inquire, when a spiritual regeneration and rebirth took place in Andrei Gromyko, the Soviet Foreign Minister? Before we trust murderers, thieves, and liars in our private dealings, we should inquire whether they have changed. Do we have any less responsibility in protecting our country?

Much has been written and said about the broken promises of the Russian Communists. One of the most concise statements on this subject appears in the hearings. The recitation was made by the distinguished Senator from Ohio, [Mr. LAUSCHE]. I want to read it to the Senate:

I want to recite here Russia's conduct of the past. I begin on February 2, 1920, when it made separate peace treaties with Estonia, Latvia, and Lithuania, recognizing the independence and autonomy of these countries and renouncing voluntarily and forever all rights of Russia over these people. On June 16, 1940, in the face of that treaty, Soviet troops occupied Estonia, Latvia, and Lithuania.

I go to Iran. There was a tripartite alliance on January 29, 1942, to which Red Russia was a signatory, and it promised to withdraw its forces from Iranian territory. In 1945 Red Russia equipped the rebels with Soviet arms and Red army uniforms. Iranian forces were neutralized by Red army troops. In January of 1946 Iran appealed to the United Nations charging the Soviet Union with violating the agreement and interfering with its internal affairs, and nothing was done about it.

I now go to Yalta. We heard so much about it. In the Yalta agreement Red Russia, the United States, and the United Kingdom agreed to assist liberated people to form interim government authorities broadly representative of all democratic elements in the population and pledged to the earliest establishment through free elections, and I want to repeat that, free elections, and the right of self-determination, of governments responsive to the will of the people. Now, the violations: In Hungary, acting through the Hungarian Communist Party and its own agencies and armed forces in Hungary, Red Russia suppressed the will of the Hungarian people by installing the minority Communist dictatorship and denied Hungary fundamental freedoms. The same thing was done in Rumania and Bulgaria.

I now go to Poland. In 1932, on July 25, Red Russia signed an agreement that there would be no aggression of Red Russia on Poland and not by Poland on Red Russia. We all remember this stab in the back on September 17, 1939, when Poland was fighting Germany on the west and Red Russia attacked Poland on the east.

I now go to the United States. In 1933 when Red Russia was begging the United States to establish trade relations with Russia, just as Kadar is now doing, and Litvinov wrote a letter to our Government committing himself that on Russian soil no agency would be permitted to exist contemplating intruding communism upon other nations of the world. In violation of that Litvinov letter undoubtedly about which you know, the Comintern was in existence and they were attempting to communize the world.

No. 10, Finland: There was an agreement that before Russia and Finland ever engaged in war that the issue would be submitted to arbitration, and that in no event would resort be made to war until 3 months after the report of the arbitrators. On November 26, 1939, the Soviet Government attacked Finland.

I now come to Hungary of 1956. When those patriots took control of the Government and Imre Nagy was in charge, Red Russia said, "We will remove the Red Russian troops. Pravda will tell the story." The story was carried throughout the United States, but while we were relying upon that promise they were bringing in their tanks and their guns and their military men.

No. 12, German reunification; On July 23, 1955, the Foreign Ministers of the Governments of France, the United Kingdom, the United States, and Red Russia stipulated, the heads of government have agreed, that settlement of the German question shall be by means of a free election. That was repudiated and broken.

We now come to China, No. 13. In the alliance between the Republic of China and the Union of Red Russia, they agreed to work together in close and friendly collaboration after the coming of peace following World War II, and to act according to the principles of mutual respect for their sovereignty. That treaty was broken.

Then we come to the very significant Potsdam agreement on Germany. It was promised that Germany would not be scalped and denuded of all of its economy. The signatories to that promise kept it except Red Russia, and it carried out everything it possibly could, causing us to pour huge sums of money into Germany to reestablish the economy. There were other commitments made in the Potsdam agreement that were broken.

I now come to the Kellogg-Briand Treaty, which is significant. The Kellogg-Briand Treaty outlawed war as an instrument of national policy. The Red army invaded Manchuria on October 12, 1929, 1 year after it promised to outlaw war. Here we are sort of outlawing the nuclear tests. I wonder how long we can rely on that.

Yet, Mr. President, we hear Senators beg Russia for a pact to outlaw war.

The Senator from Ohio also said:

Japanese war prisoners: It was agreed by Red Russia that it would return those prisoners. It still hasn't done it.

Korea, item No. 17: It was agreed on December 27, 1945, there shall be set up a provisional Korean democratic government. There shall be a joint commission to provide a four-power trusteeship of Korea for a period up to 5 years. From the very beginning, the Russian representative refused to collaborate and to act in pursuance to that agreement.

No. 18, the return of German prisoners of war from the concentration camps: It still has not been done. Then we have had the peace treaties with Hungary again and Rumania and Bulgaria, also violated.

Mr. President (Mr. McGOVERN in the chair), the Senator from Ohio closed his recitation of events by saying:

Now, may I ask, Mr. Secretary, which is the last agreement that Red Russia has

violated? I have in mind the Cuban commitment that we would have the right to inspect and ascertain whether the missiles were removed. Am I correct in that or not?

Secretary RUSK. That was a basis for the exchange, basis of the exchange between the President and Khrushchev during the week beginning October 22.

Senator LAUSCHE. That promise was not kept.

Secretary RUSK. That is correct, sir. As you recall, Castro would not accede to that.

Senator LAUSCHE. Yes. The commitment was made that neutral nations would be permitted to go in and see whether the missiles were removed. That commitment was not executed, is that correct?

Secretary RUSK. That is correct, sir, but there were certain alternative arrangements that were made, as you remember.

Senator LAUSCHE. I have a letter here from the State Department saying that we are not bound by the promise not to invade or any of the other promises that we made because the commitment of Khrushchev was not kept to allow us to inspect.

I ask you, in the face of this fragmentary recitation of breaches of commitments, if we are to judge Red Russia in the future by what it has done in the past, what can we expect?

High officials have openly stated they expect the Russians to cheat on this treaty. There is no reason to doubt their word. The distinguished Senator from Minnesota [Mr. HUMPHREY] publicly admitted that he did not support the treaty on the basis that he trusted the Russians. If that be the case, what safeguards do we have?

Secretary Rusk stated in the hearings:

The original position of the Soviet Union in these discussions was that a withdrawal clause was not necessary, because a sovereign state could, in any event, denounce a treaty.

As a matter of fact, that provision is in their Constitution. The whole history of Soviet actions proves that they claim the right—which they have repeatedly exercised—to junk a treaty, not on 90 days' notice, not on 1 day's notice; not on 5 minutes' notice, but without 1 second of notice.

Earlier in my remarks, I quoted the Joint Chiefs of Staff as saying that if this treaty were put into effect, our defense would cost more. One of the reasons is that it will cost more to test underground and to establish all over the world stations to check on what nuclear developments take place in Communist Russia. Many of those plans of detection are still on paper. The money has not been appropriated, and they are years away.

The hope that the United States could readily and effectively resume atmospheric testing, if the Communists violated the treaty, is not sustained by the record. When the Communists broke the testing moratorium in 1961, some time passed before we could test. When our tests were made, they were hurried and unprepared for, and the knowledge gained fell far short of that desired.

The treaty itself is replete with ambiguity, uncertainty, and undefined language. Its preamble refers to additional steps, but does not define them. The treaty uses terms that never before have been used in treaties. If we enter into this treaty, we shall bind ourselves not only to refrain from testing in the atmos-

phere, but also to refrain from carrying out any other nuclear explosion. Thus, the treaty not only will put an end to great portions of our peacetime use of atomic energy, but it also raises a serious question about the use of nuclear explosions to preserve the peace. In case of aggression or threatened aggression against us or one of our allies, our hands will be tied. The assumption that when a state of war exists, we shall not be bound by the treaty could result in a negotiation too late to prevent war.

An instance of the capability of superior weapons to preserve the peace, save lives, and at the same time prevent the extension of the subjugation of free peoples, occurred in July 1958. It was then that President Eisenhower ordered the landing of troops in Lebanon. The landing was made; there was no loss of life; and the Russian Communists did not dare interfere. The mission was accomplished because other branches of our defense system were poised with our superior weapons to strike whenever and wherever necessary.

If we solemnly agree not to carry out any nuclear explosion, a mission similar to the one to Lebanon could not be carried out by us.

The strength of the aggressive power of countries in which human life is not valued lies in their millions and millions of men. The strength of the defensive power of countries such as ours, in which human life is valued, lies in their superior weapons.

It is commonly said the United States can withdraw from this treaty any time it wants to on 90 days' notice. The treaty carries no such provision. The treaty provides in article 4 that we have the right to withdraw from the treaty if we decide that extraordinary events, related to the subject matter of the treaty, have jeopardized the supreme interests of our country. These extraordinary events must be related to the subject matter of this treaty. In other words, they have to be related to nuclear testing. Extraordinary events of aggression, or subversion, or a Communist takeover of more countries in the Western Hemisphere by conventional weapons would not be related to nuclear explosions. In that case we are still bound by the treaty. It is not only the use of our weapons that keeps the peace, but the ability to use them—the readiness to use them—and at this point we tie our hands.

The late John Foster Dulles, an able and distinguished Secretary of State, said before his death in 1959:

Since a treaty is what the Russians want, it wouldn't be difficult to come up with one which would look good on the surface. We could include in it all the fuzzy language of diplomacy—and believe me, I know some of the phrases—and present it to the world as a great achievement for peace. All of this would result in a relaxation of world tensions, generate a feeling of international goodwill, and probably elect a Republican President in 1960.

But we're not going to do it. If we signed such a pact with the Soviets, there would develop a tremendous pressure to cut back on our defenses, reduce the size of our Armed Forces, and curtail our armaments. And we'd have only the word of the Russians that they were doing the same. Our NATO, SEATO,

and other alliances would be endangered, perhaps to the point of deterioration. As a result, within a few years we could be a sitting duck for the Communists to pick off whenever they felt the time was ripe.

Is this treaty a part of the Communists' great design for world domination? Is it a propaganda weapon to force the hand of the United States and to cause our people and the Congress to slumber? The Joint Chiefs of Staff certainly have warned against complacency. Why was this treaty not allowed to be completed pursuant to the constitutional processes of the principal signers before it was submitted to all the nations of the world to sign? Something over 90 nations have already signed. Was this procedure followed to pressure the United States and the U.S. Senate into a difficult position to reject or amend the treaty?

When we have a parade of nations not possessing a popgun, an air rifle, or a cherry bomb, coming in and solemnly agreeing that they will not set off a nuclear explosion in the atmosphere, there is something about such procedure that is tainted with hypocrisy. It would have been a simple matter to have a treaty considered and finalized by the principal parties, who are atomic powers, and then after the entire treaty-making process was completed permit other countries to join in, but that was not done.

We hear much talk about world public opinion. I have respect for world public opinion, but I try to remember that not everything appearing as world public opinion is such. With a few dollars a troublemaker can journey to the capital city of a foreign country and hire some kids to carry placards, parade in front of the American Embassy and shout falsehoods. Such an event then is broadcast to the world through the news media and we are supposed to interpret it as world public opinion. It is propaganda pure and simple. It is manufactured. It is managed.

The treaty itself makes reference to further steps. The proponents of this treaty have said that it is only a step. There will be more. What are these next steps? Will one of the future steps be to compel stalwart and honorable Uncle Sam to march to Moscow and sign a non-aggression pact? America is not an aggressor nation. We have no aggressive intentions. Our money and our might have been spent unselfishly for other countries. American boys have died not alone for this country but for the defense of many countries. We were the victor in World War I and World War II but did we demand territory? Is there anyone in the Chamber who feels that the United States must renounce its past and sign an agreement not to commit aggression?

What would be the effect of the Russian Communists signing a nonaggression pact? They have signed many nonaggression pacts before, all of which have been broken. Unless they change, their signature on a nonaggression pact can not be depended upon. But, that is only half of the story. When great powers enters into a nonaggression pact, it is

1963

CONGRESSIONAL RECORD — SENATE

16515

based on the premise that they may keep the territory already taken. This would wipe out all hope for the millions who today live under Communist slavery. It would freeze and make permanent the status quo. One might say that such a nonaggression pact would never be drawn. I say to him, suppose it is and suppose it is presented to this country under the same conditions and procedures as this treaty is presented. Many people have argued that the Senate should advise and consent to this treaty because refusing to do so now will create an unfavorable image. Would not that same problem exist if a nonaggression pact should come before us?

Red China has not signed this treaty and would not observe it if she did. Yet Red China may be the one aggressor nation emerging as a nuclear power. We are asked to sign this treaty without any provisions to inspect nuclear developments in that vast interior of Red China.

Many prudent individuals believe that in case of war against the United States, Communist Russia and Communist China would join forces. Certainly we should not risk the future of this country on the hypothesis that they will not stand together.

In recent months Red China and Red Russia have entered into certain treaties and I want to call attention to them.

The newsletter of the United Nations Association of the Republic of China, published in Taiwan, June 1963, on page 15:

PEIPING AND MOSCOW SIGN SCIENCE AND TECHNOLOGICAL COOPERATION PLAN

The Chinese Communists and Soviet Union have signed a plan for scientific and technological cooperation for the last half of 1963 and the first half of 1964, Peiping radio disclosed on June 21.

The Communist Chinese radio, monitored in Tokyo, has also reported the signing of an executive plan for scientific cooperation between Communist China and Bulgaria in 1963. Both were signed in Peiping. The Sino-Soviet agreement was signed following 8 days of talks "held in a friendly atmosphere. A communique issued on June 19 said "under this plan the (Communist) Chinese and Soviet institutions concerned will mutually play host to scientific, engineering, and technical workers studying scientific and technical achievements and production experience in various branches of the national economy and will supply each other with scientific and technical data and samples."

Mr. President, one of the greatest statesmen of our time is that distinguished Nebraskan, Hon. Walter Judd, former Representative and former missionary to China. As a student of Communist strategy he has no peer. I have heard him liken the Communist strategy to that of a football game. When a football team acts like they are going to carry the ball through the line, look out—they are about to run the end, or make a surprise forward pass. When the football team gets poised for a line drive the opposing team must beware of a surprise punt. When the formation is called for a kick, the opposing team, if they want to win, must be prepared for a line drive. Representative Judd has said that just as the football team uses strategy to advance the ball, the Com-

munists use strategy to advance communism and achieve their unchanged goal of world domination.

We should not forget that they want to bury us. When they act like they want peace, they prepare for war. When they pretend to be friendly they strike with force. When the vehicle of treaty making can be used to advance communism they will use it. The Russian Communists neither enter into a treaty nor observe a treaty when it is not to their advantage to do so.

When the United States and the Russian Communists sit down at a peace table they do not meet as equals. The Communists are aggressors. The Americans are not. Americans are believers. The Communists are atheists. The Americans honor treaties and the Communists break treaties.

There are other inequalities. The high-megaton nuclear explosions in the atmosphere carried out by the Russians following the moratorium may have given them additional knowledge which the United States does not have.

The Apostle Paul in writing to the Corinthians said:

Be ye not unequally yoked together with unbelievers: for what fellowship hath righteousness with unrighteousness? And what communion hath light with darkness?

Mr. President, I must be guided by the lamp of experience and I cannot turn my back on history. Neither can I ignore the warnings that have come from the Communists themselves.

I hold in my hand a little devotional book written by Father James Keller, founder of the Christophers. It is entitled, "3 Minutes a Day." I want to read about the Communist boast made some 20 years ago. In reading it I want to point out that time is running against us:

"War is inevitable," were the strong words used by Dimitri Manuilsky, when he addressed the students of the Lenin School of Political Warfare in 1930.

His dire forecast continued:

"Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years.

"In order to win we shall need the element of surprise. The bourgeoisie will have to be put to sleep, so we shall begin by launching the most spectacular peace movement on record.

"There will be electrifying overtures and unheard of concessions. The capitalistic countries—stupid and decadent—will rejoice to cooperate in their own destruction. They will leap at another chance to be friends.

"As soon as their guard is down, we shall smash them with our clenched fists."

Mr. President, I shall vote against this treaty.

THE SOVIETS AND THE POSTWAR—A FORMER AMBASSADOR TO MOSCOW ANSWERS SOME PERPLEXING PROBLEMS

(By Joseph E. Davies)

(The replies to these questions submitted by the editors do not reflect any current official opinion of either the Soviet Union or of the United States, so far as I know. Nor are the answers intended to be dogmatic. They are simply my own opinions, for such value as they may have. They are based upon published sources of information, and upon facts within my own knowledge, and represent my considered judgment.)

"1. Can we assume that the rulers of Russia are men of good will toward other nations

and that they desire a peaceful, stable world?"

Yes. Their public statements of policy and their deeds in the past decade both establish that. Ambassador Litvinov, when he was Foreign Minister, both within and without the League of Nations, was the outstanding advocate of collective action by the nonaggressor nations, in order to insure "a peaceful and stable world." War anywhere, he constantly urged, would engulf all the rest of us for "peace was indivisible." Abyssinia, Spain, China, the attitude of the Soviets in agreeing to stand by Czechoslovakia with France against attack by Germany—all attest to their sincerity as "men of good will." It is, also, to their practical best interests to have peace with, and in, the world.

"2. Will Russia pursue a lone-wolf policy after the war or will she seek to cooperate with the other great powers in creating a stable world?"

That will depend upon what kind of world they will then face, or upon what kind of a world they think they are facing. If they believe in, and trust the proposals of Great Britain, China, and ourselves, and the United Nations, they will, in my opinion, go as far as any of these in a high-minded and altruistic effort to cooperate in creating a stable and decent world.

If, on the other hand, they believe they are not getting a square deal on a reciprocal and high-minded basis, they will not hesitate to go it alone. They will not be "taken for a ride." Nor will they be used to pull anyone's chestnuts out of the fire. They will do exactly what we would do, if in their shoes.

"3. Will Russia seek to create some kind of world federation, embodying some transfer of sovereignty from the member states to the central government? Or will she favor voluntary cooperation by the great powers to maintain a stable world?"

The Soviets vigorously supported the League of Nations and constantly advocated a stronger and more effective League. They are, however, essentially practical and realistic in the application of their ideals. First things first is the motto of the Soviets. They, I feel sure, would be willing to give up so much of their sovereignty as would assure a strong federation to outlaw war, aggression and conquest and to establish an international police force to keep the peace for the world community of nations. What other and further relinquishments of sovereignty they would agree to would depend upon how practical and unselfish the proposals were, and upon their confidence in the good faith of the other large nations.

"4. Will Russia be willing to undertake any international commitments which involve revealing military information to other nations?"

Yes, if it is upon a fair and reciprocal basis, and for the honest purpose of protecting the peace of the world community against gangsters, outlaws, or terrorists.

"5. Winston Churchill once described Russian foreign policy as 'a riddle wrapped in a mystery inside an enigma.' Can you make sense of it? What are its fundamental aims?"

In my opinion, the best approach to the solution of the riddle is to forget the epigram and set to one side the idea of either an enigma, or a mystery. The riddle, if riddle there be, from my experience can be best solved by the simple approach of assuming that what they say, they mean; that they are honest in their beliefs, speak the truth and keep their promises. If one were to assume, also, that they were strong, able, courageous and willing to treat others honestly, if they believe they are treated honestly themselves, the riddle can be answered with reasonable certainty.

As a matter of fact, in my opinion the foreign policy of the Soviet Government is quite clear. Its first concern is to insure the territorial security of the Soviet Union. They built up a great military and industrial system for that purpose. The Soviet Government is not a predatory power like Germany or Japan. It was only after Hitler came into power that the great industrial development projected by Stalin was speeded up for war purposes. Once that security is established, the Soviet policy is to develop the U.S.S.R. internally. That can best be done in a peaceful world. The Soviet foreign policy therefore has been consistently addressed to the prevention of war. When they lost faith in both the will and the capacity of the western democracies to join them realistically to stop Hitler, they still tried to maintain their security and their peace by entering into a nonaggression pact with Hitler in 1939. That was not a pact for a mutual offensive against Germany's enemies. In that particular, it provided only that neither would attack the other. They gained precious time which they feverishly employed to protect their security against the inevitable Nazi attack.

After this war there will be still greater need for peace to promote their plans for the internal development of their country.

There is no riddle or mystery if the statements of the Soviet Government, or its leaders, are read in the light of these policies. They are straightforward and direct.

"6. Is there religious freedom in Russia?"

The Constitution of the Soviet Union (art. 124) provides that, "Freedom of religious worship and freedom of antireligious propaganda is recognized for citizens."

By this same article the church is separated from the state and the school "to insure citizens freedom of conscience."

Article 135 of the Constitution provides that religion shall be no bar to the right of the citizen either to vote or hold office.

Prior to the enactment of article 135, which is attributed directly by some to the attitude of the President in his recognition of the U.S.S.R. in 1933, several nations including the United States were guaranteed that their citizens in the Soviet Union should have: (1) full liberty of conscience and religious worship, free from persecution; (2) the right to hold religious services in churches or buildings selected for that purpose, free from molestation; and (3) the right to impart religious instruction to their children. That, however, did not include the right to proselyte outside those restrictions.

In 1937 there were about 100,000 ministers of religion in the Soviet Union, according to the chairman of the Atheist League of the U.S.S.R.

The Russian Orthodox Church of the Soviet Union is militantly supporting the Government in this war. The highest prelate, Acting Metropolitan Sergel of Moscow, has appealed for this tolerance of religious people outside Russia and has urged that such people be not misled by "Fascist propaganda" or believe "their lies" as to persecution of the church in recent years. A book devoted to the Truth About Religion in Russia was recently published in Moscow by the Orthodox hierarchy, addressed to providing accurate information on religion in the Soviet Union.

There is no question, however, that despite these constitutional guarantees there is much hostility toward religion in the party membership. I was reliably informed when in Moscow that the objections raised to the adoption of these constitutional provisions were overcome by Premier Stalin's personal advocacy of their passage.

"7. Is Russia determined to pursue the cause of world revolution?"

In my opinion, no. The Stalin 5-year policy clearly set aside the Trotsky idea of

world revolution. It was one of the alleged betrayals of the revolution charged by the Trotskyites.

"8. If Russia has given up her ambition to turn the world Communist, may she nevertheless still fear capitalistic encirclement and attack?"

That depends upon whether they think that they have reason for such fear. Much will therefore depend upon how the rest of the world approaches the problem of postwar reconstruction, and the attitude of the other nations toward the United Soviet Socialist Republic. If there are evidences of hostility on the part of the outside world, they will certainly detect it and protect themselves.

Before Russia entered the war, Russian distrust of the western powers was very real. On the morning following Hitler's night attack, June 22, 1941, there were highly informed persons in Moscow who believed that Britain would launch a simultaneous naval attack through the Baltic Sea in conjunction with, and pursuant to, an agreement with the Nazis. That fear was only relieved when Prime Minister Churchill's broadcast came over the air, pledging all-out aid to Russia.

The developments in the conduct of the war, I believe, through contacts and better understanding, have definitely contributed to dissipating the classic fear of capitalistic encirclement and attack.

"9. Even if Russia is not interested in promoting world revolution for its own sake, will she still use revolutionary activity as an instrument of Russian nationalism? May she, for instance, promote Communist revolutions in Europe? In Asia?"

This idea is again being vigorously and assiduously preached by Goebbels and other Nazi propagandists, both in and out of Germany. The express oral assurance of Premier Stalin, the commitments contained in the Joint Declaration by the United Nations, and the treaty made with England have definitely killed that Hitler bugaboo which he has tried desperately, and without success, to sell to Europe these many years. The Soviet Union has an enviable record as a nation for keeping its obligations. Except as an instrument of military necessity, the Soviet Union will not promote dissension in the internal affairs of other nations.

"10. What do you think is the probable extent of Russia's territorial demands?"

It would be natural for them to demand what any other people would, under similar circumstances. First, they would naturally want that back which had previously been taken away from them by force after the last war. After that, it would be natural for them to require any such territory as that which they considered to be vital to their security in the event of possible future European attack.

The probable extent of Russia's territorial demands will therefore depend, in my opinion, upon what conditions are when peace comes and upon what kind of a world they think is going to come out of the peace. It should be remembered that the Baltic States were all carved out of, and taken away from Russia, after the last war. It is also the fact that the very Germany, which they are now fighting, in 1917 and 1918 took away from Russia nearly all of the territory gained westward since the accession of Peter the Great, including the Ukraine and White Russia. It would be only natural that they should want to get it back from a defeated Germany. Five million Ukrainians were arbitrarily converted into Polish citizens after the last war. Bessarabia, which was taken from Russia at about this time by Rumania, had been Russian for 100 years. The United States refused to recognize Bessarabia officially as a part of Rumanian territory. It could be contended with much force that Soviet claims to all of this territory would not be "territorial aggrandizement" and would not be inconsistent with pledges made

by the Soviet Government either in the treaty with Britain last June, or with the covenants contained in the Joint Declaration of the United Nations made in January 1942, in Washington. It could be contended that the acquisition of such territories did not constitute aggression, but simply the restoration to the Soviets of that which has been taken from them by force and the rectifying of previous wrongs.

Further, if the Soviet Government believes that it is confronted with the same type of world which existed before this war, they will undoubtedly require that which self-preservation demanded in this war, namely, a sufficient extension of territory on its western frontier to make itself secure against possible European attack. That would mean a part of Finland and, possibly, a part of Poland up to the Curzon line. That, it will be remembered, was the line determined by the Curzon Commission under the Versailles Treaty as the line of racial demarcation of the Polish and Russian nationalities.

Last year, when the Soviet-British Treaty was signed, providing for a mutual-assistance pact in the event of an attack upon either for a period of 20 years, both Britain and the Soviet Union were satisfied to leave the solution of controversial questions to be settled after the fighting was over by the application of certain broad equitable principles. That was wise. It is no time to fight among ourselves until Hitler and the Nazis are thoroughly beaten.

At that time the question of the Polish border was raised, according to the press. It was reported that General Sikorski and the Polish Government were agreeable to that disposition of the problem in the interest of unity in the war effort. After the British-Soviet Treaty, which from press accounts seemed to have been approved by General Sikorski, great numbers of Polish prisoners held by Russia were freed, and some 100,000 Polish soldiers were released, armed by Great Britain and the United States, and organized as a fighting force against Hitler. They are now in the Middle East.

I am very sympathetic with the Polish people, but it could scarcely be expected that the Soviets would remain mute when these controversial frontier matters were recently brought up in London; particularly in the face of what appeared to the Soviets to an implied consent to the postponement of the determination of the issue until after victory. The Soviets, obviously, could not permit these claims to be asserted without contradiction, without themselves being estopped at some future time from asserting their viewpoint, upon which naturally they would wish to be heard. It is significant that it is not the Soviets who are now pressing, so far as the United States is concerned, for decisions upon these controversial matters.

After victory has been won, conditions may be entirely different from those existing now. Many things may happen in the interim. The science of war is being completely revolutionized by airpower. Frontiers such as rivers and mountains, providing bases for fortifications, have lost much of their importance. The war has already shown that thousands of paratroopers may be transported to strike at vital centers in the interior, by simply passing over the frontier land fortifications. Boundaries may not be of such vital importance in a reconstructed and peaceful world.

Moreover, the terms of the peace may, and probably will, provide for mutual-defense agreements for collective security, which will reduce the necessity for military defenses and armaments. It is unthinkable that such little, at least, would not be the result of the war.

Under such conditions, it is not beyond possibility that the Soviets might consider,

1963

CONGRESSIONAL RECORD — SENATE

16517

in the interest of a peaceful world, that the matter of the extension of its frontiers was not a matter of vital protection against a possible recurrence of German attack.

Certainly, the comradeship and understanding developed by mutual fighting against Hitler and aggression will provide solutions for these knotty questions.

"11. What does Russia regard as her proper spheres of influence?"

That would again depend upon the character of the world which the Soviet Government would confront at the conclusion of the war. If the postwar world can be assured of the enforcement of one principle, to wit: that military power cannot be used by any nation to enforce its will (then these questions of vital interest can be determined on the basis of equity and decency. The Soviets, I believe, would go as far as any nation to bring that about.

To answer the question flatly, however, there is no doubt that there are certain matters in which Russia has a vital interest. There is the matter of access to the sea and warm-water ports. That, particularly, affects the Pacific and the Mediterranean. Russia, has always been concerned with the ports of Port Arthur and Dairen on the Pacific side, of which she was deprived in 1905. Again the use by her and other nations of the highway which the Dardanelles affords for shipping and an outlet from the Black Sea, and through the Mediterranean to the oceans, would naturally and rightly be a matter of concern. Also, realistically, in a hostile or an anarchic world, self-preservation might demand the thrusting forth of their defenses against a possible repetition of German attack through the territory of smaller states adjacent to Russia, which are not strong enough themselves to prevent a strong Germany, or other aggressor, from making a highway of these smaller countries to attack the Soviet Union. To illustrate: The great sea base of Kronstadt, and the city of Leningrad, are only 25 miles from the Finnish border and within easy reach of German long-range guns. The Soviet Union made a very strong effort to come to an agreement with the Finnish Government, whereby the Soviets could compensate them for concessions of territories which were vital to Soviet defense against German attack. These the Finnish Government, in fear of Germany, was unable to concede because, obviously, they were under the German gun, and, unfortunately, still are.

Presumably, all of these vital interests and others, such as fair access to raw materials, the common use of the seas and the air as highways for all of the nations in the world community, and similar matters, must ultimately be adjusted on a basis of reciprocity and a fair balancing of the interests of the various states, if there is to be a stable peace. Their determination must be governed under rules of decency and equity as between neighbors who desire peace for mutual advantage, even though they be friendly economic competitors. I believe that the Soviet Union would cooperate wholeheartedly and would contribute positively to that end, once convinced of the good faith and reliability of her associates.

The attitude of the Soviets, no less than that of other nations, upon these vital matters will therefore depend entirely upon the kind of peace that is to be established to secure a decent, desirable, and stable world to live in.

"12. Will Russia be prepared to back up her demands with arms if we oppose them?"

If the Soviets face an archaic world, where not peace but war confronts them, they can and will back up their security by force of arms if that is the only alternative. That, I am sure, would be far from their desire.

"13. If other states go Communist and voluntarily apply for admission to the U.S.S.R., will Russia admit them? Can we safely permit this?"

If states adjacent to the Soviet Union should voluntarily apply for admission to the U.S.S.R., I have no doubt that they would be admitted. If that were done, both countries being willing, it would be my opinion that it was none of our business; nor would our safety be necessarily imperiled thereby. If any such states were not contiguous to the borders of the Soviet Union, such application might possibly be embarrassing to the Soviets, but I doubt it. In any event, in my opinion, they would resolve such problems in a practical and realistic way in cooperation with those nations that were associated with them in the common enterprise of keeping the peace of the world community.

In this connection there has been much agitation directed from Berlin to the possibility that the success of the Soviet armies might result in communizing Europe. It is the same old red herring drawn across the trail. Anyone who knows Europe knows full well that neither the Scandinavian countries (Norway, Sweden, Finland) nor Poland nor Rumania nor Hungary nor Greece nor Czechoslovakia would ever voluntarily accept communism or the Soviet system. And it will be a long time before the Soviets will ever call either Frenchmen or Germans Tovarisch after this war.

"14. What will be Russia's policy toward the defeated nations?"

There is no doubt but that, like the rest of us, they would wish to see evenhanded and exact justice done, under law and without passion. This would require that those in the defeated nations who were responsible for crime would be duly tried by a judicial body and, if after due process, they were found to be guilty, then punishment suitable to the crime would be administered.

Undoubtedly the Soviets would also require that all necessary safeguards would be established to prevent defeated nations from again breaking the peace and indulging in mass murder. Apart from these, the policy of the Soviets would, I think, be dictated solely by humanitarian considerations. Premier Stalin's published utterances abundantly support that conclusion.

"15. What would be Russia's attitude toward a European federation (not including herself and Great Britain)?"

It would clearly depend upon the character of such federation. If it were to contain the seed of either actual or potential aggression, the Soviets would oppose it, just as we all would. Assuming that it was part of a general plan to secure world peace through collective action, and that it was so set up as to prevent domination by any potentially strong aggressor unit in it, I do not think that the Soviets would oppose it.

"16. On what basis can a stable settlement in Asia be made between Russia and China?"

Both Russia and China, in my opinion, have leaderships which are sincere in their desire to secure a peaceful world. Both of these leaderships are practical and wise. Both recognize that there can be no peace if force is to be used by either as an instrument of national policy to enforce the will of either over the other. Both, I believe, to secure a peaceful world, will actively try to establish an effective international police. That accomplished, there is within these two countries sufficient capacity for fairness and tolerance to settle all matters of difference if any such exist, through reciprocal arrangements on a fair and equitable basis as between themselves; and if not, each, I am sure, governed by a decent respect for the opinion of mankind, would submit their differences to other members of the community of nations in order to preserve the peace of that community.

As far back as 1938, I was reliably informed in Moscow that the Soviet Union was most helpful to the government of Generalissimo Chiang Kai-shek, in that it exercised its influence on behalf of the Chinese Government

to prevent communistic activities which would impair the common defense against Japan. That is indicative of the kind of decent cooperation which, in my opinion, can be expected from the Soviet Government in the interests of a peaceful world.

"17. Does Russia fear an Anglo-American entente with an anti-Russian basis?"

I do not know. It is, of course, possible, if we should so conduct ourselves as to justify that fear. It is of vital importance that this should not happen. We should accept the good faith of Britain and the Soviet Union, just as they should accept the professions which we make.

"18. What if the Russian economic system proves to be more efficient than ours?"

I do not accept the premise that their economic system will prove to be more efficient than ours.

From what I have seen of both systems, I am firmly of the opinion that we need not fear their competition. Our system of free enterprise, under rules of fair competition protected by government, contains springs of initiative and enterprise that will, under fair conditions, surpass anything that a bureaucracy, under government administration, can produce. A pure governmental socialism, even with the great vigor and energy which the Soviet leadership provides, cannot compete with the efficiency of our type of private enterprise. A completely socialistic state, in my judgment, will inevitably, as human nature presently is and will continue to be for a long time, breed inefficiencies in contrast to an industrial, economic, and social system such as ours which, in addition to the joy in the working, provides greater individual reward for extra effort and exceptional ability, coupled with police protection against unfair competition, monopolies, or other special class privilege.

The fact that the Soviets have constantly extended the system of individual profit in order to make their industries more productive during recent years, in my opinion, supports that point of view.

"19. What can America do to assure Russia of the security she needs and to assure mutual cooperation between our two nations?"

The Soviet Government, so far as the future is concerned, recognizes that any arrangement with the United States, to be of any real value, must be by treaty and that that treaty must be confirmed by the Senate of the United States. They know very well what happened in the last war when the Senate refused to ratify the League of Nations Treaty. That fact contains the answer to the question.

The surest answer is to be found in a better mutual understanding and confidence as between our peoples.

"20. How would you deal with Russia?"

Exactly as I would want to be dealt with if conditions were reversed. Their word I would accept with the same confidence that I would ask them to accept ours, until faith had been broken. Just as I would insist that their government would not interfere in our internal affairs or in our governmental matters, so I would scrupulously stay out of theirs. Their government is their business. What they tell their people, or do not tell their people, is not our concern. They have their own problems. They have handled them in a manner which demonstrates their effectiveness and also their purpose to serve peace, order, and law in the world.

Generally speaking, we should deal with the Soviet Union as she is entitled to be dealt with. The U.S.S.R. is a great nation. It covers one-sixth of the world's land surface and has approximately one-tenth of the total population of the world. The country is blessed with enormous natural wealth—mineral, agricultural, fisheries, forestry—and a great, vigorous, strong people. The potentialities of the Soviet Union are commensurate with the achievements which she has

demonstrated. She is destined to be one of the very great powers of the earth.

In the interest of our country and the world at large, she must be accorded the recognition and treatment that such a situation requires. Without Russia, our common victory would have been seriously jeopardized. Without the cooperation of the Soviet Union, there can be no permanent and durable peace projected. Both of these are self-evident. If we cooperate with the Soviet Union on a basis of fairness to her, to ourselves, and to the rest of the world, the Soviet Union can be an inestimable power and a great influence in the establishment of permanent peace and the elimination of war, for the common benefit of all of us. To think of the Soviet Union in any other way and to deal with her in any other manner or on any other plane is to expose the world and ourselves to many avoidable dangers and catastrophes.

This was in effect the policy I recommended to my Government at the end of my service as Ambassador to the Soviet Union. To the Department of State I find that I wrote the following:

"Such a policy does not involve approving in any manner the ideological concepts of this Government. It does, however, recognize the right of self-determination. It is interpretative of the high-minded and Christianlike declarations of the foreign policy of the United States as expressed by the President of the United States and the Secretary of State in connection with foreign affairs. It is a good neighbor policy, and one consistent with the best traditions of our diplomatic history."

"1. Should we start negotiations with Russia (and the other great powers) now to lay the basis for postwar cooperation?"

Yes, provided such negotiations were confined to matters upon which there is substantial agreement, the discussion of which would not impair the unity necessary to win the war.

If, for instance, the great powers could now negotiate a treaty providing for collective security, the outlawry of war as an instrument of aggression or conquest, and providing the means for enforcing order so that the peace of the world community would not be broken, it would be highly desirable. Upon such simple negotiations there could be little room for disagreement. It is obviously in the interest of all and detrimental to none.

With that done, a long step forward would be taken in the winning of the peace. Under such a condition all other matters in difference would have to be settled by conference and mutual concessions, fairly and equitably, for force would be outlawed. Time would be afforded for the settlement of the inevitable graver problems of frontiers, access to raw materials and other economic and political problems.

Such a simple agreement would in itself constitute a great contribution to civilization. It might make haste more slowly, but in my opinion it would be more surely. Tropical growth flowers rapidly, but it wilts easily and is not hardy. Hardwood forests are slow in growth, but they withstand storms and last long.

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

Mr. CURTIS. I yield to the Senator from South Carolina.

Mr. THURMOND. I congratulate the able and distinguished Senator from Nebraska for a masterful presentation today. Since I came to the Senate I have not heard a finer address than the one delivered by the able Senator from Nebraska today. It is a masterpiece.

The Senator is a student of communism. He knows the dangers and evils

of communism. He knows that when Mr. Khrushchev says, "I favor peace" what he really means is the time after he has conquered the world when there will no longer be any conflict and therefore peace under Communist rule. He knows that the word "truth" to the Communist means anything to promote the Communist cause. He is astute enough to understand that we cannot trust the Communists except to do what they want to do and what promotes their interests.

I commend the able Senator. He has made a fine contribution to the debate. I wish every Senator could have been present to hear him speak today.

Again I congratulate the able Senator from Nebraska.

Mr. CURTIS. The distinguished Senator has been more than generous. I do not deserve his praise.

I judge no other Senator, but I shall have no part of the treaty. I respect the motives of every Senator, but I cannot turn my back on history or the pronounced intentions of the Russian Communists.

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

Mr. CURTIS. I am glad to yield to my distinguished friend the Senator from Wyoming.

Mr. SIMPSON. I commend the Senator from Nebraska, and I associate myself with the remarks made by the distinguished Senator from South Carolina.

I have a great and abiding affection for the Senator from Nebraska, and a high regard for his ability. His address today, to which I have listened very attentively, confirms more and more my belief that I am entirely correct in my opposition to the so-called test ban treaty.

I also commend the Senator for his statement about the first step. We have heard much about the "first step" procedure. I am reminded of what the distinguished Senator from Utah said in the committee to which I belong. It was said that when a person starts upon a long journey he must always take a first step. The distinguished Senator from Utah said, "Yes, and if you take that first step in the wrong direction you are likely to meet with ruin."

The Senator's remarks today have great probative force.

I also wish that all Senators could have been present to hear the Senator's remarks, because I am convinced that perhaps many would be able to see the error of their ways and perhaps would vote with us against the treaty, which I think would do a disservice to America.

Mr. CURTIS. I express my gratitude for the kind words of the distinguished Senator from Wyoming, with a feeling of humility. I do not deserve his tribute.

I am alarmed by all the discussion of additional "steps." Is it expected we shall proceed to completely disarm our country? Will Uncle Sam be asked to agree to reform and not commit aggression, and to close the door on the millions of people who are now behind the Iron Curtain?

I do not know what the next step will be. I agree that the first step is the beginning of a long journey, but I contend

that it is easier to take a step downhill than a step uphill.

Mr. SIMPSON. The Senator from Wyoming has observed that there have been some rather intemperate remarks made to the effect that any one who was opposed to the treaty was irrational or that any 10-year-old should have the sense to sign it. I merely observe that the able chairman of a great committee, the Senator from Georgia [Mr. Russell], certainly is not irrational. Certainly, Senators THURMOND, STENNIS, ROBERTSON, RUSSELL, and other Senators of that caliber are not irrational. I protest that kind of statement. I yield to no one in this body in my belief in this country and the patriotism I feel for it.

The Senator from Nebraska has made a distinct contribution, and it confirms me in my belief that my stand is correct.

Mr. CURTIS. I thank the Senator. I take this position because I want to prevent a nuclear war.

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

Mr. CURTIS. I yield to the Senator from Alabama.

Mr. SPARKMAN. I join Senators who have complimented the Senator from Nebraska. I think he knows I do not agree with him in the conclusions he has drawn, but I think he has made a fine and clear presentation of his viewpoint. I wish to question him briefly about one or two points. I have carefully followed the debate and the hearings before the Foreign Relations Committee, both the open sessions and the secret sessions. As I have previously stated on the floor, that I do not believe any member of the committee attended the hearings more regularly than I did, with the exception of the chairman of the committee, who I believe attended more regularly than any other member. But the Senator from Nebraska has placed a great deal of emphasis upon the interim report made by the Preparedness Investigating Subcommittee.

I read it with a great deal of interest. I appreciate the amount of work that went into it. I am impressed by one thing about the report, which was brought out by the committee in the concluding paragraph. I am sure the Senator from Nebraska is familiar with the portion which reads:

Although we have concluded that there will be a net military disadvantage to us if the treaty is ratified, we recognize the existence of other factors which, while not within the scope of this report, are pertinent to a final judgment on the treaty. Among these are matters related to international affairs, foreign policy, and relations with other countries. When these are taken into consideration the question becomes one of weighing relative risks, and our hearings provide ample evidence that the overall assessment of the relative merits and demerits of the treaty is a complex and difficult matter on which equally patriotic, informed, and dedicated persons may and do disagree. In the final analysis, then, each individual must reach his own judgment on the basis of personal philosophy, past experience, current knowledge, and the relative weight which he assigns to the various factors involved.

Let me go one step further and note that there are seven members of the sub-

committee. Of the seven members, six have definitely taken a stand, three of them in favor of the treaty, and three opposed. So far as I know, the seventh member has not given an expression on it. But it seems to me the committee itself was saying there is not a clear-cut decision against it. In other words, the committee did not make a report against the treaty. Is said, in effect, "These are the military facts, and we have not gone into the other factors. Each individual Member must decide for himself." Following that, at least three members spoke for the treaty, and three have spoken against the treaty. So far as I know, the seventh member has not yet given an expression. To me, that fact is quite significant.

Mr. CURTIS. I, too, read that report and the closing paragraph. All it means to me is that the committee is not invading the province of any other committee. It is not attempting to embrace in its report matters to be covered by the Committee on Foreign Relations, and perhaps other committees.

The very fact that the dedicated chairman of that subcommittee, and half of its members, who are dedicated to the defense of this country, cannot support the treaty, should weigh against it. The mere fact that half of its members, including the chairman, have spoken out against the treaty should weigh against the treaty. Everyone knows that upon the chairman falls the responsibility of calling for hearings and assembling reports. The report speaks for itself.

The military conclusions in it have not been disputed by members of that committee or any other committee in the Senate. Is that not correct?

Mr. SPARKMAN. No; I do not agree to that statement. I am not sure the Senator means just what I understood him to mean.

Mr. CURTIS. The Joint Chiefs of Staff say there are military disadvantages to the treaty.

Mr. SPARKMAN. Yes; but each member of the Joint Chiefs of Staff recommended ratification of the treaty.

Mr. CURTIS. I know that.

Mr. SPARKMAN. Each one of them did so because they all took into consideration the other factors which they said ought to be taken into consideration.

Mr. CURTIS. If the Senator will read their entire testimony, they admit that the treaty—

Mr. SPARKMAN. I was present and heard it. I did not have to read it. I sat in committee and heard it. I heard it in open session, and later I heard it in secret session.

Mr. CURTIS. Let the record speak for itself.

Mr. SPARKMAN. Yes.

Mr. CURTIS. I challenge the Senator to show me a speech made in this debate in which, point by point, a Senator has undertaken to disprove the findings of the Stennis subcommittee concerning the treaty.

Mr. SPARKMAN. I am not trying to do that.

Mr. CURTIS. It has not been done.

No. 148—12

Mr. SPARKMAN. So far as I know, no Senator has questioned it. All I am trying to say is that the subcommittee, in its conclusion, said that there are other factors which are recognized but have not considered. Each Senator will have to consider them. All the committee has done is present the military picture.

I do not wish to engage in argument, but I thought it was rather significant to point out that fact.

Mr. CURTIS. Those conclusions have not been challenged in any speech on the floor.

Mr. SPARKMAN. Also, I point out that half of the members of the subcommittee have expressed themselves on the treaty and have spoken for it. They have not merely announced they were for it; they have made speeches on the floor of the Senate in favor of the treaty.

Mr. CURTIS. I think that is an emphatic condemnation of the treaty.

Mr. SPARKMAN. If the Senator will yield to me for one further point, I was interested in the Senator's reading from Father Keller's book. Father Keller is a great leader and a forceful speaker, but I happened to think, while the Senator was reading, about the motto of the Christophers. Is it printed on the inside page of the book? If not, I think I can quote it.

Mr. CURTIS. Perhaps the Senator can. There is a research center from which a Senator can obtain all sorts of information—

Mr. SPARKMAN. No; I have read many of Father Keller's little booklets.

Mr. CURTIS. What I read was not Father Keller's book.

Mr. SPARKMAN. It was a quotation used in the book.

Mr. CURTIS. I was referring to what was said by Dimitri Manuisky, and the boast about their political warfare in 1930, wherein he said:

The bourgeoisie will have to be put to sleep, so we shall begin by launching the most spectacular peace movement on record.

There will be electrifying overtures and unheard-of concessions. The capitalistic countries—stupid and decadent—will rejoice to cooperate in their own destruction. They will leap at another chance to be friends.

As soon as their guard is down, we shall smash them with our clenched fists.

Mr. SPARKMAN. I am familiar with that quotation.

Mr. CURTIS. It was a Russian who said that.

Mr. SPARKMAN. I knew that. I said the quotation was contained in Father Keller's book.

Mr. CURTIS. Does that invalidate it? Mr. SPARKMAN. I thought it might be interesting.

Mr. CURTIS. Father Keller's book is a devotional book. I did not intend to enter into a denominational discussion. The Supreme Court might enjoin us. I could have obtained the Dimitri Manuisky quotation from another book, but I happened to have this one on my desk.

Mr. SPARKMAN. I thought the motto of the Christophers, for whom Father Keller writes, should be placed in the Record:

It is better to light a candle than to curse the darkness.

That is a positive statement, to say the least.

Mr. CURTIS. It is. I thank the distinguished Senator. I hope that before the debate concludes some Senator will defend the treaty.

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

Mr. CURTIS. I yield.

Mr. THURMOND. The point was raised by the distinguished Senator from Alabama about the Joint Chiefs of Staff supporting the treaty. I wish to read the last part of their statement, given by General Taylor. This is what he said:

The risks inherent in this treaty can be accepted in order to seek the important gains which may be achieved through a stabilization of international relations and a move toward a peaceful environment in which to seek resolution of our differences.

Those are the political questions on which the Chiefs based their decision. According to their own words, they are willing to take the military risks in order to achieve two political gains, namely, the gain of stabilization of international relations and the move toward a peaceful environment.

I ask the distinguished Senator whether he feels that the treaty will bring about a stabilization of international relations.

Mr. CURTIS. Definitely not. The Chiefs of Staff warned against euphoria—against complacency. I wish the Senator would read into the Record at this point his words of yesterday when he quoted General LeMay as to what his instructions were as to considering factors other than the military merits.

Mr. THURMOND. The other point that was mentioned in the statement of General Taylor on behalf of the Joint Chiefs of Staff was:

A move toward a peaceful environment in which to seek a resolution of our differences.

Does the Senator feel the treaty would bring about a peaceful environment, or may it not be a step toward disarmament, which in the end could lead us into war, instead of peace?

Mr. CURTIS. If I thought the treaty was a move for peace, I would support it. I believe no such thing.

Mr. THURMOND. Mr. President, I ask unanimous consent to have printed in the Record at this point the portion of General LeMay's testimony to which the Senator from Nebraska has referred.

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

General LeMay stated:

"But the net result is that there are military and technical disadvantages to the treaty. All of the Joint Chiefs agreed on this point.

"However, there are political advantages that may accrue from the treaty. This is a field that I don't consider myself an expert in, and I have depended to a large extent on the advice of others."

General LeMay stated that he and the other Chiefs had been briefed on the political, or nonmilitary considerations, by both Secretary of State Dean Rusk and Under-Secretary Harriman.

General LeMay was interrogated further with regard to this matter by Senator Bran-

of West Virginia, who posed the following question:

"You have indicated, General LeMay, that the Joint Chiefs of Staff were not to confine their judgment in connection with the treaty before us on this basis of purely military considerations, but that political considerations were also to be thought about.

"Is this normal, General LeMay, or has it been the practice in the past for the Joint Chiefs of Staff to attempt to assess political considerations in reaching their judgments?"

General LeMay responded:

"It certainly has been true since President Kennedy came into office, because this is one of the first things that they told the Joint Chiefs they expected them to do. They expected them to put the political factors in at their level.

"They told us this verbally many times. Actually, I think we have a note in writing on the subject, the Joint Chiefs."

Quite obviously, therefore, the testimony of the Joint Chiefs does not conflict with the findings of the Preparedness Subcommittee. The Joint Chiefs were instructed to consider the political considerations, which they were given by Mr. Rusk and Mr. Harriman, and this is the basis for their support of the ratification of the treaty.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. LONG of Louisiana. I agree with the Senator that there is no reason to believe that this Nation would be advantaged by trusting the Soviet Union and the leaders of that country to keep their word. A great number of individuals and nations making that mistake found that their decision led to their own extinction.

Is it not true that the best information the Senator can find indicates that the treaty would be an advantage to the Soviet Union from a military point of view, as compared with the United States, even assuming that the Soviet Union does abide by the treaty?

Mr. CURTIS. That is the unquestioned testimony of every military authority who appeared in any of the hearings. It is supported by the Senator from Mississippi [Mr. STENNIS] in his report. It is supported by the Senator from Mississippi in his speech. It is supported by the distinguished soldier, the Senator from South Carolina [Mr. THURMOND]. It is supported by the Senator from Georgia [Mr. RUSSELL].

I said earlier in my speech that 40 Secretaries of Defense or of the separate branches of the service have come and gone since Senator RUSSELL served on the Armed Services Committee or the predecessor committee.

It is not a matter of my opinion. It is generally accepted and not disputed that the military advantages are in favor of the Soviet Union.

Mr. LONG of Louisiana. The Senator has spelled out the fact that as a part of the Communist doctrine, from the Soviet point of view, it is a laudable thing for them to deceive, defraud, and mislead other nations, particularly the capitalist nations of the world. Recognizing that fact, and, in addition, the fact that they are obtaining a military advantage from the treaty itself, and thus will have the ability to consummate their perfidious acts, I ask the Senator if that does not add up to the conclusion that we might

risk our national survival and our independence if we agree to abide by a treaty of this nature.

Mr. CURTIS. That is true. In the course of the hearings I asked the Secretary of State if the treaty had strengthened the hand of Khrushchev with his own people. I did not get a direct reply. He said, "The treaty is popular all over."

The fact is that it has strengthened the influence of Khrushchev in this country, back home in my State of Nebraska, and everywhere else. He has partly accomplished his mission of disarming the American people. There is not one iota of evidence that the Communists have changed their goal or that Gromyko is any more truthful now than when he was in the White House deceiving our President a year ago.

Mr. LONG of Louisiana. The treaty has been described as one of a number of steps. It may well prove to be about the only step that will be necessary to assure Soviet superiority. Is that correct?

Mr. CURTIS. It might be the one step that we can refrain from taking. The other steps will be harder to resist.

Mr. LONG of Louisiana. I thank the Senator.

ORDER FOR ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns today, it adjourn to meet at 10 a.m. tomorrow.

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

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, it is hoped that all Senators who desire to speak on the pending partial test ban treaty will come to the Chamber tomorrow and Friday, prepared to remain until late. If there are no requests for speeches to be made on Saturday, it is anticipated by the leadership that there will be no Saturday session.

Mr. LONG of Missouri. Mr. President, the Senate has before it today a treaty which may prove to be a small step toward a world free from the scourge of war. If this treaty is not approved, it may be many years before the people of the world will have another opportunity to begin this journey. In fact, though it is hard to face this reality, we may now be considering the last opportunity for civilization to start this journey.

Because the results of the Senate's decision may be so consequential to all mankind both living and yet to be born, it is essential that the most careful thought be given to the promises and possible pitfalls of the treaty.

This I have done. Last Friday, I spoke before the Third Baptist Church Men's Study Group in St. Louis, Mo., on the subject of the treaty and presented my reasons for supporting ratification. I ask unanimous consent that my statement be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. LONG of Missouri. Mr. President, this treaty is not a coveted pana-

cea, marking a solution to the cold war. The vast ideological gulf separating East from West has not closed; the cold war has not ended for all times; the world, to quote the words of one of our heralded predecessors, is not yet "safe for democracy." But, we face the future with renewed hope, knowing that peaceful methods are possible to lessen tensions and to ameliorate conflicts without a concomitant loss of status and/or strength vis-a-vis the Communist bloc nations.

Many observers have noted since the signing of the test ban accord that it, in fact, accomplishes little which the voluntary moratorium did not—that is, we have signed an agreement banning space, atmospheric, and underwater testing.

The most controversial aspect of the armaments race remains unchecked; no regulation of underground nuclear testing has been attempted.

Despite the fact that complete and unanimous agreement has not been reached on all facets of banning nuclear testing, that we have reached an accord on any portion of this whole, complicated problem—a problem which potentially could spell doom for the human race—indicates progress. That we have not yet gone the whole way and completely erased the threat of nuclear war and weapons is not the primary issue. We are moving toward our goal of lasting peace and, simultaneously, protecting our own self-interest.

The present treaty, despite its obvious limitation, is significant on several counts. A step has been made toward the gradual tapering off of the pace of the arms race. This is important. History shows that all arms races have ended in war. If and when an agreement is made to ban nuclear testing underground, the nuclear arms race should come to a halt.

There has been much speculation about the Soviet Union's motives in negotiating a nuclear test ban treaty at this time, after 5 years of blocking all attempts to devise a formula acceptable to both East and West. Many people feel that we are witnessing a change in Soviet policy—peaceful coexistence with an accompanying lessening of tensions is a sincere goal of the Khrushchev government. Others see the Soviet willingness to conclude a treaty as an effort to throw the West off balance. These critics argue that we will suffer from a false sense of security and as a result curtail our own nuclear exploration to the benefit of the Communists. They predict that Western military power will diminish in relation to that of the Communists.

The Joint Chiefs of Staff and other military and scientific experts have expressed assurances that militarily the treaty is sound. It does not, in their considered opinions, put this country in a disadvantageous position. Further, the President has assured us that underground testing will be vigorously and diligently carried forward and that we will maintain a position of readiness to resume testing in the other environments

if there is a violation of the treaty by the Soviet Union.

Already more than 90 nations in the international community have signed the treaty. An irresponsible rejection of the treaty would damage the U.S. position as a world leader dedicated to peace.

Finally, and this in and of itself is sufficient reason for consenting to the treaty, with the cessation of atmospheric and space tests, radioactive fallout will become less of a problem. This is an especially important factor to the citizens of Missouri, for we have one of the highest Strontium 90 counts in the country. Our health and that of our children must be taken into account when considering this treaty. Most authorities believe a relationship exists between certain types of cancer and the Strontium 90 count in the atmosphere. If this is true, we cannot justify—to ourselves or future generations—our not adhering to this agreement. Moreover, the risk of radiation-induced mutations and genetic deformities must be taken into account.

As I said earlier, this treaty does not signal the termination of the cold war. Communist ideology and Western beliefs still are polar. An ideological difference, however, does not mean that one side must destroy the other. We have managed to find one area of mutual agreement. Perhaps others exist. If so, we may find them.

All of our problems are not over, we cannot expect utopian conditions. However, we can be justly proud and happy that a constructive attempt is being made to deal with one of mankind's most perplexing difficulties.

It is for these reasons that I support the test ban treaty. In so doing, I am cognizant that dangers and difficulties are inherent in the situation.

The treaty is a true test of our Nation's courage. It would be far easier to adhere to the status quo and continue our daily lives with the false security offered by unlimited nuclear development. But, this was not the way of our forefathers and it is not the way of Americans today. We have the courage, the will, and the means to seek a lasting and responsible peace. If this venture toward the realization of mankind's fondest dream fails, it must not be because we refused to give it a chance.

Let us take this first small step with full realization of all it entails but let us take it enthusiastically.

EXHIBIT 1

THE TEST BAN TREATY—PROGRESS OR REGRESS?

(An address by the Honorable EDWARD V. LONG, U.S. Senator from Missouri, before the Third Baptist Church Men's Study Group, St. Louis, Mo., Sept. 13, 1963)

Gentlemen, you have invited me to discuss with you the question of the proposed nuclear test ban treaty—the 1,500-word document signed August 5 by the United States, the United Kingdom, and the Soviet Union which is now being debated in the U.S. Senate. I appreciate the opportunity to explore the many faceted agreement with you—men who I know full well share my hope for a world at peace, not at war—a world in which man, as a creature in the image and likeness of God, lives in keeping with all that is inherent in his nature, with the freedom and dignity the Creator intended. I am not here to argue for or

against the treaty itself. I have arrived at a conclusion on the matter, but it is not my purpose to make any attempt at persuasion here tonight. I have reached a judgment to support ratification, and I want you to know how I have arrived at that conclusion.

First, let me make it clear that while my support for ratification of the treaty is unqualified, it does not stem from any notion that entering into the compact doesn't involve risk. There are risks—and it is important that we recognize this reality. But what great achievement does not involve chance and uncertainty?

Wasn't there great risk in the pioneering of our beloved country, risks that had to be taken in order to forge this great Nation from a vast and uncharted wilderness? Yet, men did not turn their backs on the venture because of them, and as a result America has grown and prospered.

Haven't all great discoveries of man, in exploration, in science, in medicine required assumption of risks—grave risks? But this fact alone has not swayed man from the course that has led to knowledge and understanding of our environment, alleviation of suffering, cure of disease and a greatly advanced civilization.

Isn't our space program—exploring the unknown mysteries of the universe—demanding from our modern day pioneers awesome risks and dangers? But because men and women are willing to carry on this work, knowing there are risks and coping with them intelligently, world security increases, and man is likely on the threshold of fantastic discoveries that may lead to solutions of many age old problems.

Isn't there a definite element of risk in every business venture—every investment—every new business opening—every factory expansion? But because men recognize them, assume them and deal with them in sound calculation our business and industrial economy thrives.

Doesn't every family venture, whether it is a home purchase, or selection of a college for a son or daughter involve risks? If risk alone caused us to abandon family aspirations, democracy and self-determination would have failed miserably long ago.

If we find that every phase of life has its dangers and its risks, and certainly they have, would it be reasonable to shun what could well be the first opportunity of man to achieve his greatest earthly goal, permanent peace, because it involves a degree of uncertainty?

Since the dawn of human creation, man has reached for this goal. Today we have a chance to take the first small step in that direction. Although it is only a first step—and only a small one, to be sure—if we let it pass us by, who can tell how many generations of the future may come and go before there is another such opportunity to make a breakthrough. In fact, considering today's capacity for destruction, man may never again have such an opportunity. I believe our duty to God and to our Christian philosophy demands that we look at this opportunity realistically, and make every effort to see it bear the fruit of peace and security.

Sometimes I get the feeling that perhaps there has been so much talk about the many risks involved in the treaty, that we can tend to lose sight of the very real fact that our present situation—where there is no limitation on testing, itself involves a number of very serious risks. It would be logical to weigh these risks, and see how they strike a balance, if in fact they do.

Without a test ban the risks are:

(a) A continued intensified and unrestricted arms race between the United States and the U.S.S.R. History has made it clear that all arms races have led to war.

(b) A continued and increasing risk of further spread of nuclear weapons among the other countries of the world; and

(c) An increasing risk of radioactive contamination of the atmosphere. I am convinced that the treaty constitutes a small beginning in reducing the first two of these risks, and will dramatically reduce the third.

With the treaty, those risks are overcome, but new ones take their place. They are:

(a) Secret testing by the Soviets; and

(b) Secret preparations to resume testing by the Soviets, and their sudden, large-scale treaty violations.

I am convinced that the treaty, and U.S. policies developed under it, will reduce these risks so that either course of action by the Soviet Union will not be a threat to our security.

In balance, the reasonable possibilities that our acceptance of the treaty may usher in a new era in which man is serving man instead of trying to dominate and destroy him are so great, that if we don't act with advised courage, our hesitance and failure could be the greatest step away from peace that man has ever taken.

An old Army axiom has it that a good soldier never polishes the backs of his shoes because no one will ever see him in retreat. I pray God that it can never be said that this country was seen in retreat from the frontiers of peace.

What is this treaty? What does it do? What does it not do?

The treaty, a simple and clearly written document, prohibits nuclear testing in the atmosphere, in space, and underwater. Underground testing is permitted so long as there is no radioactive fallout beyond the boundaries of the testing country. Those are the only things the treaty does.

It does not prohibit the production of nuclear weapons—nor the means of delivering such weapons.

It does not restrict the use of nuclear weapons in the event of war.

It does not require that the United States give diplomatic or other official recognition to any country not presently recognized.

It does not bind the United States to any further agreements or negotiations regarding further disarmament.

And the treaty does not commit the United States to any negotiations or settlement of political issues, despite the attempts of the Soviet Union to tie the treaty to a nonaggression pact with the Warsaw treaty nations.

Going further into the advantages and disadvantages as I have listed them, let us consider them one by one.

With reduction of the arms race, we will be taking the first step toward eventual arms control—a goal we have been seeking ever since we first realized what a massive destructive power we had in our hands when we dropped atomic bombs on Hiroshima and Nagasaki—small and crude weapons in the light of today's standards.

The allout, uncontrolled, increase, and multiplication of destructive might has not increased our national security. Since the dawn of the nuclear age in the closing days of World War II, our adversaries have been constantly close at our heels—each of us forcing the other toward—even beyond—the point where one's capability would so far outstrip the other's that he would draw back in horror.

But instead we have both long since reached the stage of development where further increases in power of our weapons make little, if any real contribution to our capability. By President Kennedy's own estimate, both of us are fully capable of destroying upward of 300 million human beings in only 1 hour. Having reached the "point of diminishing returns" in destructive power, the United States has, in recent years, concentrated primarily on deliverability of weapons, proceeding on the assumption—and I think a valid one—that accuracy and dependability at this point far outweigh sheer explosive might.

More than 90 nations have now become signatories to the treaty—binding themselves to the compact that blocks the flow of nuclear weapons and information to them.

By limiting further spread of nuclear capability to presently nonnuclear countries, the risk that a nuclear weapon would be accidentally detonated is significantly reduced, in turn lessening the danger of a local conflict escalating from conventional to nuclear. An escalated conflict would almost certainly place the United States and the Soviet Union in direct confrontation.

It is hopefully expected that within a short time all the nations of the world, save Communist China and France, will have bound themselves to the agreement. World opinion moves toward greater crystallization against atmospheric contamination from testing. That leaves underground testing the only available alternative—a far more expensive and time-consuming process.

Some treaty opponents have all but discounted the value of eliminating the continuing risks of rising pollution from testing. Granted, to the best of our present knowledge, the dangers from fallout are slight. But even the slightest risk—when it is unnecessary, and avoidable, is a foolhardy undertaking. As the President said in his July 26 nationwide speech "this is not a natural health hazard—and it is not a statistical issue." No one is able to say now what physical damage increasing fallout levels might precipitate. No one is able to say now what mutations might occur in future generations—mutations brought about by high fallout levels. But all agree there is a risk—the only disagreement being as to how great it is.

I am sure that no one hails this treaty as an absolute guarantee that all the intended purposes will be faithfully fulfilled by all the parties. Much debate has centered around the record of the Soviet Union—one that is strewn with broken agreements, violated treaties, and soon-forgotten "understandings." Those who argue that "Russia can't be trusted" do so from valid ground. We can't trust them to keep the agreement, left solely to their own devices. But this treaty is not based on trust; it is not based on confidence; it is not based on any notion that there has been an overnight reversal of Communist aims or methodology.

Instead, we will be constantly monitoring the Soviet Union with instruments—for detecting nuclear weapons tests which have been developed over the past several years to know what progress was made by the Soviets. Listening devices; seismic instruments to detect earth tremors; detecting of radio signals from the radiation that accompanies nuclear explosions—as well as flights and surveillance around the perimeters of the Soviet Union to gather samples of dust and clouds to be tested for radioactive debris. The Joint Chiefs of Staff have urged—and the administration has assured—that our current detection system will be expanded and improved, through satellites to detect outer space tests and other means.

With a detection system such as this, any cheating on the test ban would have only the most remote chance of going undetected. With a detection system such as this, the United States has concluded, according to Secretary McNamara, that "the Soviet Union could obtain no major results by testing in the atmosphere and deep space or underwater without incurring the high risk of detection and identification."

In addition to the risk of Soviet testing on the sly, there is also the recognized risk that instead of attempting prohibited tests clandestinely they would make preparations for a massive test series, and then, in a surprise move, suddenly abrogate or nullify the treaty and resume testing. On the basis of experience with the 1958-61 moratorium we must be prepared for this occurrence.

While we can do little to inspect for and detect such preparations, the President has made it clear that our testing facilities will be kept "at the ready"—fully capable of an immediate resumption of presently treaty-banned testing if that course of action would be necessary to preserve our present definite superiority. Also minimizing the risks involved in sudden Soviet treaty abrogation will be continuation of underground tests, which the scientific community agrees almost unanimously will maintain our present lead in overall nuclear capability.

Balancing the risks, and approaching the treaty with a realistic outlook as to both the agreement itself and the past performances of the Soviet Union our overall national security will increase. Already possessing a nuclear force described by Secretary McNamara as "manifestly superior," a point which has not been contradicted by any responsible or knowledgeable testimony or evidence, the United States does not need further atmospheric tests to:

(1) Insure that our weapons systems will survive a Soviet attack and penetrate Soviet defenses; or

(2) To develop and deploy an antimissile defense.

Further—the United States long ago made a firm decision not to pursue attempts to develop an extremely high-yield weapon. We have instead centered our program around strengthening our defenses and increasing the tactical effectiveness—the deliverability—of our nuclear striking power. Testing in the atmosphere is not an essential part of that program.

The treaty, I believe, represents an opportunity to take the first step in the direction of peace. It is only the beginning of a long, slow and precarious journey. But the real task of reaching the ultimate goal lies in the future. As I see it, the task is threefold—and each step equally important as the others.

First, we must maintain all necessary safeguards to keep the United States strong in our defenses; to protect against the danger of surprise abrogation; and to continue our efforts against the spread of Communist aggression. If we fail this, the treaty may fulfill the worst fears of its opponents, and instead of moving us toward peace, move us toward war. I am convinced that this Nation is committed to and determined to carry out this first task.

Second, we must keep exploring for further steps toward peace; toward further agreements which can be adequately policed; toward further measures which can strengthen international law and international security. If we fail this, the treaty will lead only to an isolated signpost on a dead end road. I am convinced that the treaty will in no way alter the course of U.S. policy of an unrelenting search for permanent peace, but will in fact, bolster our efforts in that direction.

Third, we must reorient our thinking. While it will be necessary to continue the development of our nuclear strength, we must bring to an end our concentrated pursuit of nuclear strength as an end in itself. If the all-out, unlimited arms race of the last decade is merely transformed into an all-out, underground arms race, then the main thrust—the main promise—of the treaty will be lost. We must learn to live with the idea that mankind may at last be moving toward its fondest dream. A world free from the scourge of war.

If we persevere in these tasks with the same intensity that we used in bringing about this treaty, we have every valid reason to hope that we have indeed taken the first, though admittedly small, step toward peace.

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Wyoming [Mr. McGee], I ask unanimous consent

to have printed in the RECORD at this point a statement prepared by him relating to the proposed nuclear test ban treaty.

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

STATEMENT BY SENATOR MCGEE

The debate on ratification of the nuclear test ban treaty has caught the interest of the Nation, and we are indeed in the spotlight of public attention and concern. I have received many, many letters from Wyoming concerning various points in the treaty and its effects upon this Nation if ratified. Therefore, I thought it would be appropriate if I approached this question in response to those inquiries.

The first thing that must be understood is that a Wyoming approach to the problem of the cessation of nuclear testing is no different from the approach of a resident of any other of the 50 States. For Wyoming, although it is far from either ocean and unique in many aspects of her way of life, is on the front lines in any potential nuclear war. In our missile bases at Cheyenne, the largest missile complex in the world, and our oil industry centered about Casper, we have completely suitable targets for nuclear devastation. And we neighbor a State in which the levels of radioactive materials have reached such quantities as to be of real concern to public health officials, and, it goes without saying, to the mothers of growing children. Our stakes in this matter are as vital as those of any other American.

While Wyoming's interests in this treaty are identical to the rest of the Nation's, I think that it is proper and illuminating to draw some parallels in the development of Wyoming and the West and the tenor of the reservations expressed against the test ban treaty.

To agree to this treaty, according to its critics, would be to take unjustified risks with the future of the Nation because we cannot be positively certain that the Soviet Union will not at some future date break the agreement. It is also said that this treaty, once ratified, will immediately lull us into a soporific attitude of national negligence from which we shall awake to find ourselves in chains. These critics say that as a prelude to any treaty we should insist that the Russians agree to dismantle the Iron Curtain, and present us with ironclad evidence of their sincerity in this matter and their withdrawal from the cold war.

If the pioneers who settled Wyoming had insisted upon equivalent guarantees before they started on their westward journey none would have ever passed the Mississippi. The thing that separated these pioneers from the rest of the population is the very fact that they were willing to take calculated risks in order to create a better life for themselves.

These resolute Americans had no illusions about finding any Garden of Eden in the American West. They required no iron-bound assurances that the Indian population would immediately abandon all hostile attitudes and they did not ask as a prerequisite to that journey that all questions of land ownership and rights be settled in their favor.

While our forefathers were perfectly willing to accept this risk, I do not imply that they were unmindful of the dangers involved or ignored the risks of their journey and new way of life. Quite to the contrary, they took every reasonable precaution to assure success in their journey and in the establishment of a new life in the new land. These precautions took the form of well-defended wagon trains, scouts, and lookouts, and the maintenance of adequate supplies and lines of communication.

1963

CONGRESSIONAL RECORD — SENATE

16523

Above and beyond all these material things, these pioneers had the essential ingredient for success—faith in their own ability to meet and surmount the challenges that lie ahead. They knew that hostile Indians or the adversities of weather might make life extremely difficult, but they believed that they could adjust to those difficulties and conquer them.

And so must we have the determination to accept the challenge of this treaty. Certainly, there are risks involved and certainly there is required eternal vigilance. But these were normal conditions on the frontier and they are, unfortunately, normal conditions in the cold war.

As others have said, this treaty is no giant stride toward peace and tranquility. But it is a small step in the right direction, an opportunity to set a more favorable course toward the ultimate goals of peace and national security. I am convinced that we dare not ignore this chance. We cannot leave for our descendants a legacy of doubt and obstinacy in response to opportunity. We cannot forever refuse to face the challenge of finding means to reach the ultimate goal of a lasting peace.

I believe that this treaty offers a chance to make a lasting peace—not in the treaty itself or in the events in the next 5 years, but possibly in the next generation. And it is a chance that is consistent with the maintenance of our national security.

The treaty would not substantially change our nuclear position vis-a-vis the Russians for it would preserve a status quo that in total finds us maintaining a superior position.

The treaty would not bind our hands in time of war or in case of a surprise violation of the treaty by the Soviets. In either case, the treaty becomes an immediate dead letter.

The treaty is not based on any unwarranted trust of the Soviet Union's good intentions nor is it the first step in a national self-delusion that will reduce our desire to protect our Nation and way of life. If we are to commit suicide or sell the Nation down the river, no treaty can prevent it or cause it. If our national leaders and our Military Establishment have not by now learned the lessons of almost a score of cold war years, there is little hope for us now.

What the treaty is, then, is a chance, a small chance, to improve the outlook for human survival to wage the battle for human freedom and the democratic way of life on lines less sanguinary than the nuclear battlefield and to eliminate the uncharted dangers of nuclear fallout. What we do here will be weighed on the scales of history. I am confident that we will not be found wanting.

Tiny as the immediate material impact of this treaty will be at the outset, it is nonetheless bigger than all of us here—in fact bigger than life itself. It rides the wave of the history of our times. History teaches us nothing if not the inevitability of change—the kind of change and in which direction no man here is wise enough to foretell. But the conscience of that history hangs heavily over the heads of the Members of this body at this moment. No man here can pretend to know what tomorrow holds. Nor can any one of us be so absurd as to assume an omniscience denied us by the Lord. Yet there are those who want to be certain, who want to be sure. Unfortunately, we can't wait until tomorrow in order to make our judgments in hindsight. Tomorrow has to be taken on faith today.

What the treaty does for us, then, is win a chance—albeit a small chance—to bring peace to mankind. The price we have already paid for that chance through two world wars ought to haunt us every night. What we do with it on this occasion the future generations now looking over our shoulders alone will stand in judgment.

Mr. PROXMIRE. Mr. President, I have now arrived at a decision on the proposed nuclear test ban treaty. In doing so, I have carefully reviewed the hearings and committee reports on the test ban treaty. I have read and listened to the debate in the Senate Chamber. And I have had a chance to interrogate supporters of the treaty on the floor of the Senate on some of the military implications of the treaty that troubled me the most.

The way the treaty has been handled is a great credit to the U.S. Senate. I say this as one whose duties did not bring him into special responsibility with regard to the treaty. I do not serve on any of the committees that have competence on any phase of this treaty. So I can appraise with some perspective the manner in which this treaty has been handled.

The Committee on Foreign Relations has discharged its prime responsibility brilliantly. Statements made to the committee by the Nation's most competent and responsible experts and the committee's comprehensive interrogation of these experts represent a model of searching scrutiny. Any Senator uninformed on this treaty after these hearings can only be uninformed because he failed to read them.

The unique participation in these hearings by members of the Atomic Energy Committee and the Armed Services Committee served the happy purpose of bringing the special knowledge of these members in the military and scientific implications into focus on the treaty.

Unlike some able Members of this body, I believe that the Senate Preparedness Subcommittee of the Armed Services Committee performed a very impressive and useful service by holding its own hearings on the treaty and issuing its own highly critical report on the treaty. Frankly, this report gave me a further very important insight into the military consequences of the treaty which I would have otherwise missed.

Debate on the floor on this treaty has been the most enlightening and helpful that has been heard in this body in a long time. Senators have not merely delivered "canned" speeches. For days they have submitted to interrogation that has emphasized and re-emphasized the critical problems involved in the treaty. Some of the questioning has been repetitive, but even that has been useful in hammering home the answers to the most troublesome questions.

Mr. President, I will vote for the treaty. In doing so I recognize that we cannot, and in this treaty do not, trust the Soviet Union to keep its part of the bargain on faith.

I rely on the assurance of the most competent military and scientific brains in and out of our Government that we can detect any Russian atmospheric nuclear tests that could give them a significant advantage by violating the treaty.

I rely on the assurance of the President that we will take full advantage of our rights under the treaty to keep our nuclear defense, including our retaliatory deterrent and our progressing nu-

clear knowledge, in a state of steady improvement. And, further, I rely on the President's clear assurance that we will instantly act to protect our security, if and when the Soviet Union is detected violating the treaty.

Most important of all, I will vote for the treaty because of a point made by the brilliant opponent of the treaty, Dr. Edward Teller, in his masterly attack on it.

Dr. Teller argued that this treaty fundamentally serves not to stop the physical production of the arms race, or the deployment of devastating nuclear weapons. This treaty strikes at the crux—the fount of military power: the opportunity to push back the frontiers of knowledge about nuclear explosions in the atmosphere. This treaty will prevent us from discovering truth: the truth about the prospects for nuclear weaponry in the atmosphere.

Mr. President, John Stuart Mill wrote of the sacredness of truth in his essay "On Liberty," the greatest political essay ever composed in the English language. Few men in history have ever had a more complete reverence for truth than Mill; and yet, in this greatest defense in the English language of mankind's right to seek the truth and to speak the truth, Mill recognized a fundamental reality about the truth: that mankind in fact often has turned away from knowledge and truth. He did so in the execution of Socrates and the crucifixion of Christ. Repeatedly throughout history truth has been crushed and buried, to rise, if ever, ages later.

But what this treaty begins to do in its small, halting, limited way is not to force the truth-speakers to their death, not to suppress truth or to smother truth, but to channel the brilliant and precious and limited scientific knowledge that we have in this world a little—and only a little—away from the search after the truths about the more efficient destruction of mankind and, I hope—by implication at least—toward the vast unexplored areas of ignorance that engulf us.

We live in an ocean of ignorance about our own world, and, of course, the universe. We live on a tiny island of knowledge. We can magnify our knowledge a thousandfold—yes, a millionfold—and still our ignorance of God's plan is pathetically large.

What a travesty on man's wisdom that, beset by this unending challenge to find the truth, we impose immense taxes on our people to focus the precious scientific energy and ability we do have to peer into the one limited microscope of self-destruction to discover more and more and more and more about how we can more efficiently wipe out mankind on earth. One would think that this is the only kind of knowledge that remained to challenge our abilities.

I hope and pray that this limitation on the channeling of our scientific energies in the field of destruction will permit these magnificent scientific intellects to work in the positive areas of making it possible to live longer and better and happier and more constructive lives and not to bring quicker and more devastating death.

No one can study the hearings and reports and debates on the treaty without developing serious misgivings. The treaty does indeed involve risks of sudden massive Russian violation that might give the Russians an advantage. I admit that.

But the treaty also begins a small, gradual, limited move toward limiting the nuclear knowledge that will certainly destroy civilization if limitations are not somehow forged.

Of course, it is a weakness of the treaty that Red China and France are outside its agreement. But the governments of these countries as their current leaders pass from the scene will be increasingly pressured to limit their testing and their nuclear advances, if not to adhere to the treaty.

The treaty will slow down the proliferation of knowledge. A nation that does not test is far more loath to pass the knowledge that is power—and death and destruction—over to any other sovereign entity. With that knowledge nuclear power could be within the capability of a score of nations.

What is worse, in view of the geometric escalation of nuclear knowledge based on testing in the past 15 years, a similar escalation in the next few years could make nuclear power a possibility for any sovereign nation, including Luxembourg and Gabon. It is the development of nuclear knowledge that could make it possible with very little capital and simple processing equipment to develop weapons of immense destructive capability.

It is the virtue of this treaty that it begins, very gently and slowly, to steer mankind's scientific genius away from this knowledge.

I say that the proliferation of nuclear destructive power, the ownership of the capacity to kill tens of millions of people by fifty or even a hundred countries, would almost certainly in time mean the cataclysm, Armageddon for mankind.

Many of the countries of the world are and will be dictatorships, often military dictatorships. Continuance of the spreading of nuclear knowledge means that any one of these dictators in a fit of desperation or folly or stupidity or masochism or megalomania could kick off world destruction. This is what proliferation of knowledge means.

And even if we assume that we have seen the end of acts of great evil by men in power—and how naive an assumption—we cannot ignore the mathematical certainty that with scores of nations handling these nuclear weapons someone, somewhere, sometime, will set one off over another country where it will cause death and destruction, and then the capacity of mankind to pull back will be terribly tested.

In spite of books and motion pictures to the contrary, I have faith that our Air Force has put the human and mechanical safeguards into effect that will prevent an Air Force accident. But no man—no man—can ever be a thousand percent sure in any and all circumstances. I have equal faith in our Navy and Army. I have similar if less faith in the United Kingdom's protections against accident, and some—though

sharply diminished—faith that the Soviet Union will not blunder unintentionally into war. But when we multiply this knowledge by 10 or 20 nations the chances of accident become, over time, close to a sure thing.

Here is the risk this treaty would help—a little—but help begin to prevent.

For many more reasons far too numerous to mention, including especially the sure evil of increasing fallout in the atmosphere, I support the treaty. And I do so in the fervent hope that it will be a beginning toward the arms control which will take years of patient, painstaking effort to achieve and which, in the long run, is essential to the survival of civilization on this planet.

Mr. MUSKIE. Mr. President, the taking of the vote on the question of Senate approval of the nuclear test ban treaty will be a momentous occasion in the history of the United States. Although the treaty is a limited one, with limited objectives, it has serious and far-reaching implications for the future of this Nation and the world. Because of its importance and because of its implications, it is imperative that we cast with care our votes on the question of approval of the treaty.

I have read the treaty, the President's messages, the committee reports, and the various published analyses. I have reviewed the testimony and the debate. My objective has been to test the treaty against the criticisms by its opponents, and to analyze it in the light of the arguments by its supporters.

My hope is on the side of a peaceful and uncontaminated world; my concern is on the side of the security and safety of our country; my mind is focused on the logic of the arguments of both sides to the dispute over the question of ratification.

It is clear that this issue is not one-sided. Some express unqualified support; others urge unqualified opposition. Some would require resolution of the Cuban problem as a condition precedent to approval. Still others, although they applaud the objectives of the treaty, believe its purposes could have been stated more clearly, that its application to our security and defense requirements could have been expressed more precisely, that the application to this treaty of the Senate's constitutional duty to approve treaties is ambiguous.

The proposed reservations and the arguments of those who advance them have served useful purposes. They have served to highlight the pertinent questions bearing upon our security and defense requirements which the treaty raises. They have served to broaden our understanding of the effect of the treaty on our national interests. The discussions they have generated have resulted in definition and clarification of the terms of the treaty as they relate to the points raised by the reservations.

I am satisfied, as a result, that ratification of the treaty will not mean recognition of East Germany or other treaty signers whose governments are not already recognized by our Government.

I am satisfied that we can withdraw from the treaty immediately, in the event of a treaty violation by the Soviets, without a 90-day delay.

I am satisfied that the treaty does not inhibit our use of nuclear weapons in the defense of our country.

I am satisfied that the treaty does not prohibit cooperation with our allies in every way needed to improve their defense, including the realization of a multilateral nuclear force with our NATO allies.

I am satisfied that the treaty cannot be amended without ratification by the United States, which would necessarily require submission of the amendment to the Senate, for its advice and consent to such ratification.

I am satisfied on these points because, as a result of the debate generated by the proposed reservations, I am satisfied that the clear and the reasonable meaning of the provisions of the treaty itself supports the conclusions I have stated. Therefore, I see no need for reservations.

I am satisfied, further, that in the area in which the treaty permits an increase of knowledge, including underground testing, such increase of knowledge will be pursued to as great an extent as is needed for the safety of the United States.

On the question of whether resolution of the Cuban problem should be attached as a condition of ratification, I am satisfied that the result of attaching such a condition would be destruction of the treaty, but without solving the Cuban problem. To support such a result would be, in effect, to support a policy that we should do nothing to resolve any one of our differences with the Soviet Union, unless we can resolve all our differences at one and the same time. I do not believe that we can achieve such an end, unless and until we are ready to make a beginning.

If the treaty merits our support, it does so on its own, without additions or subtractions, without our making it more than it is or less than it appears to be. If it is to be nullified, that should be with one stroke, on the issue of ratification.

Should we approve this treaty or should we withhold our consent? That is the central issue; that is the question we must decide.

I would not for a moment detract from the complicated issues surrounding the treaty. I would not suggest that the decision for any one of us is a simple one. But, however complicated, however awesome the decision, it is our duty to face the problem and to make the choice.

As I have thoroughly examined the arguments of the opponents, I find they lead back to two fundamental assumptions: First, that we cannot afford to give up testing in the atmosphere, under water, or in outer space; and second, that in any event, we cannot trust the Russians, and that any treaty with them is an invitation to delusion and disaster.

The first question involves a judgment on the relative strength of the Soviets and ourselves in nuclear weaponry, the improvements in weaponry which we might gain from further testing in the three environments proscribed by the treaty, the gains the Soviets might achieve from similar testing, the risks of clandestine tests, the hazards of radioactive fallout resulting from fur-

1963

CONGRESSIONAL RECORD — SENATE

16525

ther testing, the dangers inherent in an escalating nuclear-arms race involving more nations, and the international political advantages to be gained or lost by such a treaty. The balance of such risks, the President has argued, favors ratification of the treaty.

After reviewing the information provided by the Foreign Relations Committee and the Preparedness Subcommittee, together with other documents and testimony, I agree with the President on this point. We cannot assure absolute security in this world; we can only approach it.

Neither course open to us—ratification or nonratification—can guarantee peace, security, and survival.

Having satisfied myself on the first question, I faced the second: Can we trust the Russians to honor the treaty? There are disagreements as to the number of treaties the Soviets have honored and the number of those they have abrogated. But whatever the detailed figures, the fact which remains is that they have honored some treaties, and have broken more.

In evaluating the treaty, we should, therefore, assume the possibility of its violation by the Soviet Union.

Are we, then, inviting ourselves into another Munich, as some opponents have charged, if we approve this treaty? Are all the arguments about the text of the treaty and its relative values if it were observed meaningless, because we cannot trust the Russians to keep a bargain or to bargain in good faith? If the answers to these questions are "yes," if we must accept the proposition that it never pays to enter into an agreement with the Soviets, then we must adopt a pessimistic, not to say hopeless, outlook on the future of the world. Under such a view, we are doomed to a life of suspicion, with accelerated weapons research and testing, hair trigger preparedness, and the ever-present danger of instant, universal annihilation.

I view with horror such a prospect. But in good conscience I must face it, and I have. Having faced it, having realized its possibility, having examined the logic which leads to the abyss, I return to the question: Can we at no time, under no circumstances, reach an agreement with the Russians on any major issue?

I think we can, if the agreement is in the self-interest of each of us, and if we are in a position to protect our interests if the agreement is broken.

I believe it would be in our interests and in the interests of the Russians to abolish all nuclear testing except that designed for peaceful and necessary purposes under international supervision. Each of us has much to gain from the reduction of the hazards of radioactive fallout. We live in the same world; we breathe the same air; we are all human beings. Each of us has much to gain from inhibiting of the arms race. The search for security through better weapons, in this age, leads to greater tension, not less. Each step leads us closer to the point where we go beyond the balance of terror and enter an area where any step is fatal, not to one, but both; not to some, but to all. Further, each of us has

much to gain from curtailing the spread of nuclear testing and weapons to other nations. We know independent nations cannot be controlled completely, even by their allies. Khrushchev has learned this, much to his anguish and distress.

The abolition of all nuclear weapons tests would, it seems to me, be in the Soviets' interests as well as ours. This, I think, has been the reason for the groping efforts of both countries on the test ban treaty issue over several years.

The trouble with total prohibition, however, is the loophole the Russians sought through the refusal to allow on-site inspections of underground tests.

Such a loophole would be in their best interests, but not in ours. It would not have given us a clear opportunity to protect our interests in the event of a violation. The present treaty, however, does give us the opportunity to protect ourselves. It offers no opportunity for significant clandestine tests. We do not rely on expressions of good faith; we rely on the technological facts which make the limited agreements possible; we rely on the determination of this Nation to keep its guard up, without panic, without the aggressive stance which stems from fear.

Mr. President, I shall vote for this treaty. I do so without reservations. I do so, not because I expect it to bring the millenium, but because I believe the treaty is what the President says it is: a way to "get back out from the shadows of war and seek out the way of peace."

To do otherwise, it seems to me, would be to reject the possibility of a rational relationship between ourselves and the Soviet Union, and to accept the inevitability of force as the only conceivable arbiter of our differences.

Are we more fearful of negotiation than we are of nuclear war?

Are we less confident of our ability to wage peace than we are of our ability to wage war?

Which course holds the greater promise for peace, security, and survival—to agree in the circumstances we are considering, or to disagree with the Soviet Union under all conceivable circumstances?

It seems to me that the alternatives, however stated, are clear. All of us, I am sure, have weighed them carefully, impressed by their grave implications. I choose the course offered by the treaty, in the hope and belief that it holds the greater promise for the future of mankind.

When I have voted for this treaty, I can say to my children, "I have tried to give you a world in which you will not be poisoned by the silent, insidious hazards of nuclear fallout"; I can say to my constituents, "I have voted for this treaty because it is a sensible step toward a rational world"; I can say to the critics of this treaty, "I have faith in the strength of America, in its institutions, in its leadership, and in the wisdom of acting with your eyes open and your feet on the ground."

Mr. MANSFIELD. Mr. President, I commend the Senator from Maine for a most moving speech, in which the Senator has delineated his philosophy, and

which I believe lays the issue very squarely before the Senate. The Senator has performed a magnificent service in doing so.

Mr. MUSKIE. I am grateful to my majority leader.

COMMITTEE MEETING DURING SENATE SESSIONS ON THURSDAY AND FRIDAY

Mr. MANSFIELD. Mr. President, I have cleared the request I am about to make with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], and the distinguished Senator from South Carolina [Mr. JOHNSTON]. I ask unanimous consent that the Subcommittee on Manpower and Employment be authorized to meet on Thursday and Friday mornings, to take testimony on unemployment problems during the sessions of the Senate.

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

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 the following bills, in which it requested the concurrence of the Senate:

H.R. 4505. An act to confer jurisdiction on the Court of Claims to entertain, hear, and determine a motion for a new trial on the claim of Robert Alexander;

H.R. 8009. An act to amend title 38, United States Code, to provide certain veterans with urgently needed nursing home care and nursing care facilities while reducing the cost to the United States of caring for such veterans, and for other purposes;

H.R. 8100. An act to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes; and

H.R. 8200. An act to further amend the Federal Civil Defense Act of 1950, as amended, to provide for shelter in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 1952) to extend and broaden the authority to insure mortgages under sections 809 and 810 of the National Housing Act, and it was signed by the President pro tempore.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles, and referred, as indicated:

H.R. 4505. An act to confer jurisdiction on the Court of Claims to entertain, hear, and determine a motion for a new trial on the claim of Robert Alexander; to the Committee on the Judiciary.

H.R. 8009. An act to amend title 38, United States Code, to provide certain veterans with urgently needed nursing home care and nursing care facilities while reducing the cost

16526

CONGRESSIONAL RECORD — SENATE

September 18

to the United States of caring for such veterans, and for other purposes; and

H.R. 8100. An act to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes; to the Committee on Labor and Public Welfare.

H.R. 8200. An act to further amend the Federal Civil Defense Act of 1950, as amended, to provide for shelter in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes; to the Committee on Armed Services.

THE NUCLEAR TEST BAN TREATY

The Senate resumed the consideration of Executive M (88th Cong., 1st sess.), the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater.

MODIFICATION OF UNANIMOUS AGREEMENT

Mr. MANSFIELD. Mr. President, again with the concurrence of the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN] and also the distinguished Senator from Nebraska [Mr. CURTIS], I wish to propound a unanimous-consent request for a change in the unanimous-consent agreement already entered.

I ask unanimous consent that on Tuesday morning, instead of meeting at 10:30 a.m. and voting on the resolution of ratification at 11 a.m., the Senate meet at 10 a.m., and vote on the resolution at 10:30.

The PRESIDING OFFICER. Is there objection?

Mr. GORE. Mr. President, reserving the right to object—and I shall not object—I should like, first, to congratulate the Senator upon his facility in reaching an agreement. However, if there is to be a yea-and-nay vote on the Goldwater reservation, I was hoping that the vote could be postponed until Tuesday morning also. Is that not possible?

Mr. MANSFIELD. I plead with the Senator.

Mr. GORE. I withdraw the reservation of objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none; and it is so ordered.

Mr. GORE. Mr. President, during the course of the debate yesterday with the distinguished senior Senator from Georgia [Mr. RUSSELL], I made the following statement which appears on page 16275 of the Record:

The fact is that the Soviets have never at any time agreed to accept a single meaningful onsite inspection within the Soviet Union.

There was some discussion about the accuracy of my statement. I suggested that I would search the records and make a statement today with respect to it.

I have before me a copy of the letter which Chairman Khrushchev wrote to President Kennedy on December 19, 1962, which I shall ask to have printed in the Record. I should like to read a paragraph of the letter, and then I shall comment upon that paragraph:

We took all this into account and, in order to overcome the deadlock and to arrive at last at a mutually acceptable agreement, we would agree, in those cases when it would be considered necessary, to two to three inspections a year on the territory of each of the nuclear powers in the seismic areas where some suspicious earth's tremors might occur. It goes without saying that the basis of control over an agreement on underground nuclear test ban would be the national means of detection in combination with automatic seismic stations. Onsite inspections could be carried on with the precautions mentioned by Ambassador Dean against any misuse of control for purposes of espionage.

It was this letter which gave rise to the impression, widely held in the United States and throughout the world, that Mr. Khrushchev had agreed to permit two or three onsite inspections in the Soviet Union. If we examine the paragraph carefully—as I propose to do—we find that again something appears in form at first glance, but, when examined carefully, is found to be without substance.

At the time Chairman Khrushchev wrote the letter, we had not been able to reach an agreement with the Soviets as to what kind of inspection, if any, should be made. We had not been able to reach any agreement with the Soviets as to who should make the inspection. The Soviets were insisting upon national inspection, upon self-inspection. We had not been able to reach an agreement with them about what kind of an inspection team would be used; about the makeup of the inspection team—so many seismologists, so many chemists, so many nuclear experts, so many Russians, so many Americans, so many international representatives, and so on. We had not been able, even, to reach an agreement that the team would be allowed to have a Geiger counter or any other instruments.

It had never been made clear through agreement as to the right of the United States or of an international agency to make an inspection. The Soviets insisted inspection could be conducted on Soviet territory only upon the invitation of the Soviets.

I revert to the Chairman's letter:

We would agree, in those cases when it would be considered necessary, to two to three inspections a year.

Who would decide when it was necessary? The Russians were insisting that they would decide when it was necessary; and that the inspection would be made upon their invitation.

By whom? I refer again to the paragraph in the letter:

It goes without saying that the basis of control over an agreement on underground nuclear test ban would be the national means of detection.

Not an international means, but a national means.

Would the Russians decide whether an inspection was necessary? Under their insistence at the time the chairman wrote the letter, that would be for them to decide. It would be a matter of invitation, not a matter of right by a party to the agreement, and not a matter of right by an international agency.

We had not been able to reach any agreement whatsoever on the budget for the inspection teams. We had been un-

able to reach any agreement as to who would provide the money, as to who would pay the expenses, as to who would buy the equipment, and in what amounts; or who would have authority to employ members of the inspection teams, to dispatch them, and to exercise administrative control.

We had not been able to reach a specific agreement with the Soviets in any respect whatsoever as to the right of free access to an area where a suspicious event might occur. Indeed, as I shall point out, Chairman Khrushchev in his letter excluded vast areas of the Soviet Union. I advert again to his letter:

In the seismic areas where some suspicious earth tremors might occur.

The United States had been insisting that an underground explosion could be attained in nonseismic areas, as well as in seismic areas.

A careful reading of Chairman Khrushchev's letter in the light of the positions which the Soviets were taking at the conference table reveals that the letter does not in fact represent an agreement to accept a single meaningful onsite inspection in the Soviet Union.

I am fully prepared to reassert the statement I made yesterday, that the Soviets have not proposed and did not at any time propose, or agree to accept, or permit, a single meaningful onsite inspection in the Soviet Union.

This is not a major question in the debate on the treaty. So far as I know, it is not even at issue. Since it arose in a colloquy between the distinguished and able senior Senator from Georgia and me, I agreed to search the annals of the many conferences and determine whether the facts were as I believed them to be and present the facts to the Senate in the interest of accuracy of the record.

Before expressing some general views on the pending treaty, I ask unanimous consent that Chairman Khrushchev's letter to President Kennedy of December 19, 1962, President Kennedy's reply of December 28, 1962, and Khrushchev's letter of January 7, 1963, may be printed in the Record at this point.

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

NOTE FROM KHRUSHCHEV TO PRESIDENT KENNEDY—DECEMBER 19, 1962

In our recent correspondence related to the events in the Caribbean area we have touched on the question of cessation of nuclear weapon tests. Today I would like to come back again to that problem and to set forth my views concerning possible ways of its speediest solution which would be mutually acceptable to both our sides.

It seems to me, Mr. President, that time has come now to put an end once and for all to nuclear tests, to draw a line through such tests. The moment for this is very, very appropriate. Left behind is a period of utmost acuteness and tension in the Caribbean. Now we have united our hands to engage closely in other urgent international matters and, in particular, in such a problem which has been ripe for so long as cessation of nuclear tests.

A certain relaxation of international tension which has emerged now should, in my view, facilitate this.

The Soviet Union does not need war. I think that war does not promise bright prospects for the United States either. If in the

DECEMBER 28, 1962.

past after every war America used to increase its economic potential and to accumulate more and more wealth, now war with the use of modern rocket-nuclear weapons will stride across seas and oceans within minutes. Thermonuclear catastrophe will bring enormous losses and sufferings to the American people as well as to other peoples on earth. To prevent this we must, on the basis of complete equality and with just regard for each other's interests, develop between ourselves peaceful relations and solve all issues through negotiations and mutual concessions.

One of such questions with which the governments of our countries have been dealing for many years is the question of concluding a treaty banning all tests of nuclear weapons.

Both of us stand on the same position with regard to the fact that national means of detection are sufficient to control banning experimental nuclear explosions in outer space, in the atmosphere, and underwater. So far, however, we have not succeeded in finding a mutually acceptable solution to the problem of cessation of underground tests. The main obstacle to an agreement is the demand by the American side of international control and inspection on the territories of nuclear powers over cessation of underground nuclear tests. I would like to believe that you yourself understand the rightness of our arguments that now national means are sufficient to control also this kind of tests and be sure that agreement is observed by any side. But so far you do not want to recognize openly this actual state of things and to accept it as a basis for concluding without delay an agreement on cessation of tests.

Striving to find a mutually acceptable basis for agreement the Soviet Union has made lately an important step toward the West and agreed to installing automatic seismic stations. This idea, as is known, was put forward not by us. It was introduced by British scientists during the recent meeting in London of the participants of Pugwash movement. Moreover, it is well known to us that when this idea was proposed, it was not alien to your scientists who were in London at that time.

We proposed to install such stations both near the borders of nuclear powers and directly on their territories. We stated of our agreement that three such stations be installed on the territory of the Soviet Union in the zones most frequently subjected to earthquakes. There are three such zones in the Soviet Union where these stations can be installed: central Asian, Altaian and far eastern.

In the opinion of Soviet scientists the most suitable places for locating automatic seismic stations in the Soviet Union are area of the city of Kokchetav for central Asian zone of the U.S.S.R., area of the city of Bodaibo for Altaian zone and area of the city of Yakutsk for far eastern zone. However, should, as a result of exchange of opinion between our representatives, other places be suggested for locating automatic seismic stations in these seismic zones, we will be ready to discuss this question and find mutually acceptable solution.

Beside the above said zones there are two more seismic zones in the Soviet Union—Caucasian and Carpathian. However these zones are so densely populated that conducting nuclear tests there is practically excluded.

Of course, delivery to and from international center of appropriate sealed equipment for its periodic replacement at automatic seismic stations in the U.S.S.R. could well be made by Soviet personnel and on Soviet planes. However if for such delivery of equipment to and from automatic seismic stations participation of foreign personnel were needed we would agree to this

also, having taken, if necessary, precautionary measures against use of such trips for reconnaissance. Thus our proposal on automatic seismic stations includes elements of international control. This is a major act of good will on the part of the Soviet Union.

I will tell you straightforwardly that before making this proposal I have consulted thoroughly the specialists and after such consultation my colleagues in the Government and I came to a conclusion that so far as the Soviet Union is concerned the above-said considerations on the measures on our part are well founded and, it seems to us, they should not cause objections on the part of the American side.

You, Mr. President, and your representatives point out that without at least a minimum number of onsite inspections you will not manage to persuade the U.S. Senate to ratify an agreement on the cessation of tests. This circumstance, as we understand, ties you and does not allow you to sign a treaty which would enable all of us to abandon for good the grounds where nuclear weapons are tested. Well, if this is the only difficulty on the way to agreement, then for the noble and humane goal of ceasing nuclear weapon tests we are ready to meet you halfway in this question.

We noted that on this October 30, in conversation with First Deputy Foreign Minister of the U.S.S.R., V. V. Kuznetsov in New York, your representative Ambassador Dean stated that, in the opinion of the U.S. Government, it would be sufficient to carry on 2-4 onsite inspection each year on the territory of the Soviet Union. According to Ambassador Dean's statement, the United States would also be prepared to work out measures which would rule out any possibility of carrying on espionage under the cover of these inspection trips including such measures as the use of Soviet planes piloted by Soviet crews for transportation of inspectors to the sites, screening of windows in the planes, prohibition to carry photo-cameras, and so forth.

We took all this into account and, in order to overcome the deadlock and to arrive at last at a mutually acceptable agreement, we would agree, in those cases when it would be considered necessary, to 2-3 inspections a year on the territory of each of the nuclear powers in the seismic areas where some suspicious earth's tremors might occur. It goes without saying that the basis of control over an agreement on underground nuclear test ban would be the national means of detection in combination with automatic seismic stations. Onsite inspections could be carried on with the precautions mentioned by Ambassador Dean against any misuse of control for purposes of espionage.

We believe that now the road to agreement is straight and clear. Beginning from January 1 of the new year of 1963 the world can be relieved of the roar of nuclear explosions. The peoples are waiting for this, this is what the U.N. General Assembly has called for. With the elimination of the Cuban crisis we relieved mankind of the direct menace of combat use of lethal nuclear weapons that impended over the world. Can't we solve, a far simpler question—that of cessation of experimental explosions of nuclear weapons in the peaceful conditions? I think that we can and must do it. Here lies now our duty before the peoples of not only our countries but of all other countries. Having solved promptly also this question—and there are all the preconditions for that—we shall be able to facilitate working out an agreement on disarmament and with even more confidence proceed with solving other urgent international problems, which we and you unfortunately are not short of.

Sincerely,

N. KHRUSHCHEV.

DECEMBER 19, 1962.

DEAR MR. CHAIRMAN: I was very glad to receive your letter of December 19, 1962, setting forth your views on nuclear tests. There appear to be no differences between your views and mine regarding the need for eliminating war in this nuclear age. Perhaps only those who have the responsibility for controlling these weapons fully realize the awful devastation their use would bring.

Having these considerations in mind and with respect to the issue of a test ban, I therefore sincerely hope that the suggestions that you have made in your letter will prove to be helpful in starting us down the road to an agreement. I am encouraged that you are prepared to accept the principle of onsite inspections. These seem to me to be essential not just because of the concern of our Congress but because they seem to us to go to the heart of a reliable agreement ending nuclear testing.

If we are to have peace between systems with far-reaching ideological differences, we must find ways for reducing or removing the recurring waves of fear and suspicion which feed on ignorance, misunderstanding or what appear to one side or the other as broken agreements. To me, the element of assurance is vital to the broader development of peaceful relationships.

With respect to the question of onsite inspections I would certainly agree that we could accept any reasonable provision which you had in mind to protect against your concern that the onsite inspectors might engage in "espionage" enroute to the area of inspection. In a statement at the United Nations, Ambassador Stevenson suggested that the United States would accept any reasonable security provision while the inspectors were being taken to the site, so long as they had reasonable provision for satisfying themselves that they were actually at the intended location and had the freedom necessary to inspect the limited designated area.

With respect to the number of onsite inspections there appears to have been some misunderstanding. Your impression seems to be that Ambassador Dean told Deputy Minister Kuznetsov that the United States might be prepared to accept an annual number of onsite inspections between 2 and 4. Ambassador Dean advises me that the only number which he mentioned in his discussions with Deputy Minister Kuznetsov was a number between 8 and 10. This represented a substantial decrease in the request of the United States as we had previously been insisting upon a number between 12 and 20. I had hoped that the Soviet Union would match this motion on the part of the United States by an equivalent motion in the figure of 2 or 3 onsite inspections which it had some time ago indicated it might allow.

I am aware that this matter of on-site inspections has given you considerable difficulty although I am not sure that I fully understand why this should be so. To me, an effective nuclear test ban treaty is of such importance that I would not permit such international arrangements to become mixed up with our or any other national desire to seek other types of information about the Soviet Union. I believe quite sincerely that arrangements could be worked out which would convince you and your colleagues that this is the case.

But in this connection, your implication that on-site inspections should be limited to seismic areas also gives us some difficulty. It is true that in the ordinary course we would have concern about events taking place in the seismic areas. However, an unidentified seismic event coming from an area in which there are not usually earthquakes would be a highly suspicious event. The United States would feel that in such a circumstance the U.S.S.R. would be entitled to an on-site inspection of such an event occur-

September 18

16528

CONGRESSIONAL RECORD — SENATE

ring in our area and feels that the United States should have the same rights within its annual quota of inspections.

Perhaps your comment would be that a seismic event in another area designated for inspection might coincide with a highly sensitive defense installation. I recognize this as a real problem but believe that some arrangement can be worked out which would prevent this unlikely contingency from erecting an insuperable obstacle.

Your suggestion as to the three locations in the Soviet Union in which there might be unmanned seismic stations is helpful but it does not seem to me to go far enough. These stations are all outside the areas of highest seismicity and therefore do not record all of the phenomena within those areas. These stations would be helpful in increasing the detection capability of the system but I doubt that they would have the same value in reducing the number of suspicious seismic events by identifying some as earthquakes. For this purpose unmanned seismic stations should be in the areas of highest seismicity, not outside them. To achieve this result there would be need for a number of stations in the vicinity of the Kamchatka area and a number in the Tashkent area. It might be possible, of course, to reduce somewhat the number actually in the Soviet Union by arranging stations in Hokkaido, Pakistan, and Afghanistan. If the stations on Soviet territory were sited in locations free from local disturbances and could be monitored periodically by competent United States or international observers who took in portable seismometers and placed them on the pedestals it would be very helpful in reducing the problem of identification.

You have referred to the discussion of the "black box" proposal at the 10th Pugwash Conference in London in September of this year as a United Kingdom proposal to which the United States has agreed. I do not believe that this was the situation. This proposal was reported to me as a Soviet proposal which was discussed with some U.S. scientists. Of the U.S. scientists who signed the statement none represented the U.S. Government or had discussed the matter with responsible officials. All were speaking as individuals and none were seismologists. Their agreement does not signify anything other than that this was an area which justified further study. The U.S. Government has given it that study and the results have been the conclusions which I have indicated above.

Notwithstanding these problems, I am encouraged by your letter. I do not believe that any of the problems which I have raised are insoluble but they ought to be solved. I wonder how you think we might best proceed with these discussions which may require some technical development. It occurs to me that you might wish to have your representative meet with Mr. William C. Foster, the Director of our Arms Control and Disarmament Agency, at a mutually convenient place, such as New York or Geneva. I will be glad to have your suggestions. After talks have been held we will then be in a position to evaluate where we stand and continue our work together for an effective agreement ending all nuclear tests.

JOHN F. KENNEDY.

JANUARY 7, 1963.

DEAR MR. PRESIDENT: I received your reply to my message of December 19, 1962. I am satisfied that you have appraised correctly the Soviet Government's proposals set forth in that message as directed to securing in the very near future a ban on all tests of nuclear weapons.

We understand your answer as meaning that you do not object that national means of detection together with automatic seismic stations should be the basis for control over an agreement banning underground nuclear

tests. We note your agreement that installation of automatic seismic stations will prove useful from the point of view of increasing the effectiveness of control over cessation of underground nuclear explosions. During the Geneva talks it was justly observed, also by your representatives, that installation of such seismic stations would serve as good means of verifying the correctness of functioning of national seismic stations. It is precisely by these considerations that the Soviet Government was guided in proposing that the idea of installing automatic seismic stations put forward at the Pugwash meeting of scientists be utilized.

In my message of December 19, 1962 I indicated those three areas where in the opinion of our scientists automatic seismic stations should be set up on the territory of the Soviet Union. Those areas were selected after a thorough study with comprehensive consideration being given to geological and seismic conditions in those places.

In the areas of Kokchetav and Bodalbo automatic seismic stations would be located, according to our suggestion, at the exposures of crystalline rocks while in the Yakutsk area—in the zone of eternal congelation. As is known on crystalline rocks and on grounds frozen deep down always only minor seismic hindrances are noticed which facilitates reliable detection of underground nuclear explosions. In combination with seismic stations abroad, on territories adjacent to the seismic zones in the Soviet Union automatic stations located in the above-mentioned points will be adequate means capable of removing possible doubts of the other side with regard to the correctness of functioning of the national seismic station network.

You did not make any comments on the location of an automatic seismic station for the Altai zone in the region of the city of Bodalbo, and thus we could consider this question as agreed upon.

However, you have doubts as to the location of automatic seismic stations for the other seismic zones in the Soviet Union—far eastern and central Asian ones. As far as those zones are concerned, in your opinion, it would be expedient to place such stations in the Kamchatka area and in the area of Tashkent. In the opinion of Soviet scientists placing automatic seismic stations in the areas of Tashkent and Kamchatka would be a worse variant as compared to the one that we propose because in those areas functioning of automatic stations will be seriously handicapped by seismic hindrances. But if you believe it more expedient to relocate those stations we will not object to that. In my message to you I have already pointed out that the Soviet Union is prepared to seek a mutually acceptable solution also in the question of location of automatic seismic stations. We would agree to relocate the automatic seismic station for the central Asian zone of the U.S.S.R. to the Tashkent area placing it near the city of Samarkand and for the far eastern zone—to place the automatic station at Selmchan which is part of the Kamchatka seismic area.

Location of an automatic seismic station on the Kamchatka peninsula itself seems, in the opinion of Soviet scientists, clearly unacceptable in view of strong hindrances caused by the proximity of the ocean and strong volcanic activity in the peninsula itself which will inevitably hamper normal functioning of a station. It appears to us that thus we could consider as agreed upon also the question of the location of automatic seismic stations for the central Asian and far eastern zones of the U.S.S.R.

The Soviet Government having consulted its specialists came to the conclusion that it is quite enough to install three automatic seismic stations on the territory of the Soviet Union. The more so that in your message, Mr. President, a possibility is envisaged of setting up automatic seismic stations on

territories adjacent to the seismic zones in the Soviet Union—on Hokkaido, in Pakistan, and Afghanistan, naturally with the consent of respective governments.

The Soviet Government has named definite areas for the location of automatic seismic stations on the territory of the U.S.S.R. Moreover, Mr. President, taking into account your wishes we agree to relocate two stations to new places. We are entitled to expect therefore that your side also will name definite areas where such stations should be set up on the territory of the United States and that in reaching an agreement on the sites where stations are to be placed the American side will take into account our wishes.

Mr. President, we are convinced that all conditions exist now for reaching an agreement also on the question of inspection. It is known that all the recent time we heard not once from the Western side—agree in principle to inspection and then the road to agreement will be open. We believed and we continue to believe now that, in general, inspection is not necessary and if we give our consent to an annual quota of 2-3 inspections this is done solely for the purpose of removing the remaining differences for the sake of reaching agreement.

As you see we have made a serious step in your direction. The quota of inspections on the territory of each of the nuclear powers that we propose is sufficient. Indeed, in the negotiations your representatives themselves recognized that there is no need to verify all or a greater part of significant suspicious phenomena to restrain the states from attempts to violate the treaty. And they gave figures of annual inspections practically equaling the quota proposed by us. Naturally it is most reasonable to carry out inspection in seismic areas where the biggest number of unidentified seismic phenomena may occur. However, if you consider it necessary, we have no objection to inspections being carried out also in nonseismic areas provided such inspections are conducted within the annual quota indicated by us.

I noticed that in your reply you agree with the necessity of taking reasonable measures of precaution which would exclude a possibility of using inspection trips and visits to automatic seismic stations for the purpose of obtaining intelligence data. Of course, in carrying out on-site inspection there can be circumstances when in the area designated for inspection there will be some object of defense importance. Naturally, in such a case it will be necessary to take appropriate measures which would exclude a possibility to cause damage to the interests of security of the state on the territory of which inspection is carried out. In this respect I fully agree with the considerations expressed in your message.

Mr. President, in your message you suggest that our representatives meet in New York or in Geneva for a brief preliminary consideration of some of the problems you touched upon.

We have no objections to such meeting of our representatives. The Soviet Government for that purpose appointed N. T. Pedorenko, U.S.S.R., permanent representative to the U.N., and S. K. Tsarapkin, U.S.S.R., representative to the 18-Nation Disarmament Committee, who could meet with your representative Mr. William C. Foster in New York on January 7 to 10. We proceed here from the assumption that meetings of our representatives should lead already in the very near future to agreement on questions still unsettled so that upon the reopening of the 18-Nation Committee session our representatives could inform it that the road to the conclusion of agreement banning all nuclear weapons tests is open.

Sincerely,

N. KHRUSHCHEV.

Mr. GORE. The principal issue in the discussion between the very able and distinguished senior Senator from Georgia and me yesterday was whether the pending treaty represented an abandonment of U.S. insistence upon inspection to assure compliance with the treaty.

It was my view then, and, upon reconsideration, it is still my view, that instead of representing an abandonment of the principle of inspection, the fact that the United States refused to enter into an agreement involving underground testing without effective inspection serves to reassert this country's dedication to the principle of adequacy of inspection in areas where inspection is needed.

The limited test ban treaty makes no concession with respect to the principle of onsite inspection. It does not give up onsite inspection for any kind of testing where such inspections are necessary to carry out the fundamental principle which underlies the U.S. position in all disarmament negotiations, which is that any disarmament measure must be implemented under such strict and effective controls as to provide firm assurance that all parties are honoring their obligations.

The United States has been unswerving in its support of this position; and where onsite inspections are necessary, we have insisted upon them. Because we were unable to obtain them, we refused to enter into a treaty involving underground tests.

Thus, the Joint Statement of Agreed Principles for Disarmament Negotiations, agreed to between the United States and the Soviet representatives on September 20, 1961, provides that "inspectors should be assured unrestricted access without veto to all places as necessary for purposes of inspection."

Here again is an assertion of a principle by the United States, an agreement "in principle" by the Soviet Union. But it is when specifics are required that we find difficulties developing. That was the case with respect to onsite inspections to detect possible cheating in connection with underground tests.

The limited test ban agreement now before the Senate prohibits only tests in the atmosphere, underwater, and in outer space. It does not prohibit tests underground unless they cause radioactive debris to be present outside the country where the test takes place.

Inspection within the borders of another country at the site of a possible explosion has never been proposed for atmospheric, ocean, or outer space tests; only for those underground.

Neither the 1959 limited test ban proposal of President Eisenhower nor the 1961 and 1962 limited test ban proposal of President Kennedy required onsite inspection.

Secretary Rusk said of all these proposals:

The concept has remained the same—to take a first step toward the control of nuclear weapons by prohibiting testing in those environments where our national systems are capable of detecting significant violations, leaving for subsequent steps the elimination of those tests that can be detected and identified only with an adequate system of inspection.

Thus, far from having abandoned the principle of onsite inspection, the limited treaty now before the Senate was offered by the United States to preserve that principle, and yet to prohibit testing in as many environments as possible while doing so.

The failure to obtain an agreement for onsite inspection does not represent an abandonment of the principle. We have asserted it. We have insisted upon it. This Government has not failed at any time during the administration of former President Eisenhower or during the administration of President Kennedy to insist upon inspection as a vital part of verification for underground tests or as a principle for the disarmament negotiations.

The fact that we are now discussing a limited, rather than a comprehensive, test ban treaty results from the insistence by the United States that an effectively verified ban on underground tests requires onsite inspections.

The United States does not intend to give up onsite inspections where they are needed, insofar as I am advised with respect to intentions of the Kennedy administration. It is certainly not the intention of the Senator from Tennessee to abandon the principle of onsite inspection to verify compliance with treaty obligations.

No one would suggest onsite inspections for the Washington to Moscow direct communications link. Inspection is not necessary there.

On the other hand, in the case of the comprehensive ban on nuclear weapons testing and other military activities in Antarctica, onsite inspections are needed. We insisted upon them, and the treaty which the Senate ratified provided for them.

Given this record, no other nation, in my view, can effectively contend that the United States has abandoned the principle of onsite inspection.

I reassert, insofar as I am privileged to speak, dedication to the principle; and I believe this view will be held by all Senators who vote for approval of the treaty.

I entered the discussion with the able senior Senator from Georgia [Mr. Russell] on this point yesterday because I regarded it as an important point which he had made in his speech. I said to him then, and I say to the Senate now, that if I believed approval of the pending treaty would in fact constitute abandonment of the principle of inspection, not only with respect to nuclear weapons tests but in the disarmament conferences which are to come, I would not be able to give my consent to it.

I should like to read now from the statement of Gen. Maxwell Taylor, speaking for the Joint Chiefs of Staff. This appears on page 274 of the hearings:

However, the dangers of detection and the cost and difficulty of testing in outer space would tend to impose severe restrictions upon such clandestine testing. Other clandestine tests in the atmosphere or under water, depending upon their size, would involve a fairly high probability of detection by our conventional intelligence or our atomic energy detection system. Moreover, the

Joint Chiefs of Staff consider the resulting progress which the Soviets might make clandestinely to be a relatively minor factor in relation to the overall present and probable balance of military strength if adequate safeguards are maintained.

Mr. President, some of my colleagues have indicated that they will vote against ratification of the pending treaty on the grounds that the treaty would pose unacceptable military risks for this country. I am confident that those who take this position are sincere in their views which have been formed after lengthy study of the treaty and the factors relating to it. Military implications incident to ratification of the treaty are quite properly a legitimate matter for consideration.

I daresay that probably every Senator has given consideration to this point. Perhaps the differing conclusions which Senators have arrived at on this point may result from the focus, the perspective, and the relative weight they attach to the various elements deserving consideration and having a bearing upon the pending treaty.

The military implications of this treaty quite obviously bear upon the present and future military strength of the United States. But they also bear upon the present and future military strength of the Soviet Union. The self-limiting features of this treaty obviously apply to both of the great nuclear powers and will apply to all other nations who have adhered to the treaty.

Surely we would not wish to limit ourselves unless others were similarly limited. That has been the central thesis of all our negotiations with the Soviet Union on this subject since the days of the Baruch plan submitted to the United Nations immediately following World War II. We have sought assurance that we are not binding ourselves without an effective means of verifying that other signatory nations were likewise meeting their obligations under any proposed agreement.

The argument that the treaty should be rejected because of asserted military disadvantages really boils down to an argument that this Nation cannot afford to enter into any agreement at all on this subject. Such an argument, whether wise or unwise, runs counter to what has been the stated policy of the past three administrations, a policy which I believe has been supported by the American people.

In its very essence, this treaty is a political document. There is no way, however, in which political considerations can be divorced from military implications. Indeed, military considerations are an important element in the formulation of all aspects of our foreign policy. Consideration by the Senate of military implications in the discharge of its constitutional responsibility of advising and consenting to this treaty is proper and necessary. But it is also necessary that these military considerations be placed in proper perspective as they relate to the overall decision which Senators must make.

It is generally agreed by proponents and opponents alike that the United States enjoys a clear margin of superior-

ity over any other power in nuclear arms. We are superior, I believe, both quantitatively and in terms of variety of weapons. On this point, I refer my colleagues to the statement of the Secretary of Defense which is found on page 97 of the printed hearings. I refer also to the statement of the Joint Chiefs of Staff who informed the Committee and the Senate as follows:

As to net superiority in ability to inflict damage on the enemy, the Joint Chiefs of Staff consider that the United States at present is clearly ahead of the U.S.S.R. in the ability to wage strategic nuclear war.

If we clearly possess overall nuclear superiority—and those whom we have charged with responsibility in such matters so state—what then are the asserted military risks incident to ratification of the treaty?

Opponents cite the problem of ultra-high yield nuclear weapons. I regard anything in the one to five megaton range as high yield. Weapons of such yield are more than sufficient to take out virtually any military or civilian target should this ever become necessary. Moreover, as professional military and scientific witnesses told the Committee, weapons in this range can be delivered in greater numbers and with more accuracy than the ultra-high-yield bombs, the single category in which the Soviet Union is conceded to have the lead in yield to weight ratios.

It is true that Russia has conducted atmospheric tests of weapons in the ultra-high-yield area while we have not. It is also true that as long as the treaty should be in force we would be precluded from testing such weapons in the atmosphere.

But, Mr. President, we have not heretofore been so treatybound, and we are not so treatybound now, prior to approval of the treaty. We have not conducted such tests. Our failure to test such weapons has been the result of a deliberate decision on our part that weapons of such awesome destructive power were not of sufficient military significance to justify the effort to develop them.

I cannot see the justification for rejecting this treaty on the grounds of military disadvantage based upon the fact that we would be precluded under the treaty from doing something we had already decided not to do anyway.

Of course, it should be recognized that future events might cause the United States to change its mind.

But such future events, if they seriously affected the security of this country, would permit the United States to remove any binding effect of the treaty in this regard. Secretary McNamara, the Joint Chiefs of Staff, and several scientific witnesses all agreed that these weapons have very little military significance for the United States; and that, in any case, the United States could develop a 50- to 60-megaton weapon without further testing, if that should become advisable.

The second risk, the one which appeared to cause the greatest concern for some, involves antiballistic missile development. After exhaustive testimony on this question, the committee

agreed with the Secretary of Defense, the Joint Chiefs of Staff, the Chairman of the Atomic Energy Commission, and the weight of knowledgeable scientific opinion that, first: The development of an antiballistic missile system sufficiently effective to justify the extremely high cost of such development and deployment is not likely.

Second, that the United States must continue intensive research and development in this field. Indeed, the Department of Defense is currently seeking \$450 million for this specific purpose, both because the purpose of the program is of such obvious importance and because, as Dr. York and others observed, antiballistic missiles perform a useful service in testing the penetration capabilities of our offensive missiles.

Third, it is generally agreed, as the Joint Chiefs of Staff testified, that "in the antiballistic missile field, the development of the U.S. system does not depend on atmospheric testing."

Virtually every scientific witness testified that the ability of offensive nuclear weapons to saturate and overwhelm defensive missile systems is decisive. The view was expressed that in all likelihood this situation would remain constant. The committee report noted that neither of the chief critics of the treaty, among scientists—Dr. Foster and Dr. Teller—

appeared to be convinced that further unrestricted testing would guarantee or necessarily promote significant progress in ABM development.

The other area of risk concerns the effect of induced phenomena on nuclear weapons systems and the possibility that the Soviet Union might have greater knowledge in this area.

I have chosen at this late date in the debate to deal with military risks, not because I feel any particular competence in this field, but because of two factors—first, the weight of the evidence which I have studied during the years I have been closely identified with the atomic energy program, including the hearings on this treaty; and because so much importance has been attached in the debate in the Senate to the military risks involved.

Information about the relative degree of knowledge in the area of the effect of induced phenomena on nuclear weapons systems is hardly precise, and must be regarded as more or less speculative. The informed consensus appears to be that the United States and the Soviet Union are in roughly comparable positions in terms of knowledge of such nuclear phenomena as blackout and disturbance of communications. Under the treaty, both sides would have to "design around" some of these uncertainties, as a number of witnesses put it, and make extrapolations from known data.

This leads us into a complicated, unknown field—a field difficult for even our most competent and talented scientific geniuses. It is difficult for Senators who had only a limited science course in high school and college to reach a judgment upon these uncertainties, and these complicated and technical factors. Yet it is upon Members of the Senate that the constitutional responsibility for reaching a judgment and a decision

devolves with respect to the pending treaty. What shall we do? What have I done? I have listened to the most competent witnesses and have read most of the competent authorities available. My judgment accords squarely with what I regard as the judgment of the preponderant majority of those most competent persons.

Undoubtedly, there is much that we do not yet know about nuclear explosions, their effects, and the means of defense against nuclear attack. There is no question that further development work in this field would be somewhat inhibited under the terms of the treaty. Such work would be more difficult and more expensive—more difficult for us, more difficult for the Soviets; more expensive for us, more expensive for the Soviets. Progress would likely be slower—slower for us and slower for them. Results probably would be less conclusive than if unrestrained and unrestricted nuclear testing were to continue.

But what about the other 25 or 30 nations whose industrial capacity gives them the ability to develop nuclear weapons? Except for Red China, most of them have already adhered to the treaty. They, too, would be inhibited. Indeed, they would be inhibited by the lack of much of the scientific knowledge which the Soviet Union and the United States already have.

Among assertions that have been made during the course of the debate is the statement that the pending treaty would be to the advantage of the Russians. It has been stated that Mr. Khrushchev said the treaty was in Russia's own interest.

What two nations in the world would be most likely to be destroyed in the event of a nuclear holocaust? Obviously, the two nuclear powers that are armed with nuclear warheads already in place on missiles aimed at each other's vital industrial and population centers. The loosing of nuclear weapons tonight would rain destruction upon the United States and the Soviet Union. The United States and the Soviet Union obviously would suffer most from a nuclear war. What greater mutual interest could two nations have than the avoidance of nuclear war by the two nations most likely to be destroyed? This situation involves a real mutual interest, a mutual interest of self-preservation.

Yes, Khrushchev has said the treaty is in the interest of the Soviet Union. President Kennedy has also said it is in the interest of the United States. Do we believe the Soviets would have signed the treaty unless they regarded it as being in their interest? Do we believe President Kennedy would approve the treaty unless he regarded it as being in the interest of the United States of America? All treaties—unless forced upon one of the parties—come about only because of mutual interests.

In case of total nuclear war and the destruction of the United States and the Soviet Union, the other great goliath, Red China, might inherit the earth on foot.

So I am prepared to support a treaty that is in the interest of the United

States and in the interest of the Soviet Union—a treaty in which we have the greatest possible mutual interest: self-preservation.

The central point is that it is not here proposed that the United States unilaterally subject itself to these restrictions and allow the Soviet Union to be free of them. The restrictions will apply to both countries. We refused, let me repeat, to enter into a treaty involving underground testing, because the Soviets would not permit inspection adequate to guarantee against cheating. But the proposal before us contemplates that the limitations and restrictions will apply equally to all the signatory powers.

Let us concede, for the sake of argument, that there are some areas in which Soviet knowledge, gained as a result of prior tests, exceeds ours—for example, as to the effects of ultra-high-yield weapons.

However, Mr. President (Mr. WALTERS in the chair), there are other areas in which our knowledge exceeds theirs, advantages we have gained from our own atmospheric testing. Unless we are prepared to reject the advice of all who claim overall U.S. nuclear superiority, then I believe this is a reasonable conclusion. It is not just now that I have heard the authorities thus testify. This has been the case throughout the development of the nuclear era.

For myself, I do not accept the theory that the Russians already know all they wish to know, and have agreed to this treaty only to entrap us into a position where we will be unable to catch up. This is not to say, Mr. President, that the Soviets do not consider the treaty to be in their best interests. As I have said, I assume they do. Indeed, they assert that they do; and I claim the same for my country. But if we must wait for an agreement that is entirely to our advantage, then I fear we must wait forever. If we must wait for an agreement of that type, we must be prepared to accept the prospect that no agreement on anything affecting the security of nations would ever be reached.

There are those who contend that the Russians have no intention of living up to the terms of the treaty. In the light of our past experience in such matters, this could well be true. But here, again, if we must wait until the Russians have demonstrated conclusively and to the satisfaction of all that they will keep their word, we shall wait forever.

Mr. President, as I said yesterday, on some aspects of this issue, Senators must ultimately choose between an investment in faith or living in fear. I have chosen to invest in faith—faith in our own leadership, faith in our own capacities, faith in the will and the determination of our own people, faith that this international concert, now adhered to by more than 90 nations, will be abrogated only upon the greatest of provocation by any nation.

I know it is said that it does no good to reach an agreement with the Soviets. Unfortunately, the Soviets' record with respect to fidelity to trust is not very good.

I cite, however, the instance of one agreement. The treaty with respect to Austria. A fellow townsman—in some respects a political mentor and friend in former days, former Secretary of State Cordell Hull—talked with me about this subject immediately after the end of World War II. One of his priority goals and aims was to seek an agreement to bring freedom to Austria. It was difficult to achieve it. The negotiations were tedious and long; the Soviets were devious and misleading. They treated the negotiations as an exercise in propaganda, somewhat as they have done in connection with the negotiations leading to the pending treaty. Eventually, however, an agreement was reached.

Not long ago, I enjoyed a visit to Vienna, where I heard free Austrians play beautiful Viennese music. I witnessed the freedom they had obtained as a result of the agreement between the United States and Russia—freedom which their neighbors—Hungary and Bulgaria—missed because of failure to obtain a similar agreement. So I am not prepared to say that no treaty will be kept by the Soviets.

I also recall that there is an international concert against the use of poison gas. Many nations had canisters of poison gas during World War II. They were not used by either side in either the European or the Pacific theaters of war. It may well be that future historians will compare the pending treaty—adhered to already, as I have said, by more than 90 nations—to the pact which outlawed the use of poison gas.

In that connection, Mr. President, let me say that nuclear weapons constitute only one of the means of mass destruction. The populations of cities can now be quickly destroyed, not only by nuclear weapons, but also by gases, radiological warfare agents, or bacteriological warfare.

What we are dealing with is one of the means of mass destruction, and we are dealing with it in a limited way at that. But even so, the treaty represents, not disarmament, but a pause in a conflict between societies on a collision course. I welcome that pause. I invest faith in the human race and faith in the ability of the United States to maintain a position of moral and political leadership, of technological and military superiority, and I invest faith in the will and the determination of our people to take whatever steps may become necessary to preserve their freedom.

No, I do not say that we should rely solely upon the good intentions of the Soviet leaders or their pledges to adhere to the terms of the treaty. Indeed, we must not. But this treaty is as nearly capable of unilateral verification as we could reasonably expect any treaty on this subject to be. I do not contend that it is impossible for a signatory nation to cheat without being caught, but the consensus of expert testimony is that the chances of detection of a clandestine test would be very great, and that those chances would increase with the size of the yield of the weapon tested. Admittedly, there will be some risk of un-

detected cheating, but this is, I think, a minimal risk which, under the terms of the pending treaty, has been reduced to the lowest level that might be expected.

The possibility of failure of the Russians to abide by the terms of the treaty, whether by clandestine tests or by open abrogation, must be met, not by rejection of the treaty, but by our maintenance of a state of readiness to test should Soviet action require it. We have been assured by the Executive that that would be done. Congress is not without means and influence to see that it is done.

It is not my view that there are no military implications at all incident to the ratification of the treaty. Of course, there are. There are military risks involved in many decisions which the Senate makes. The distinguished senior Senator from Oklahoma [Mr. MONROE], who does me the courtesy of his attention, is a leader in the development of civil aviation. We take a military risk when we decide to improve our airports or decide not to. We take a military risk when we choose between building 10 or 20 atomic submarines. We take an economic risk with our economy on the question of full employment and tax reduction. Those who are afraid to choose between relative risks need not apply for membership in this body because they must live with risk and decisions.

We are now confronted with one of the most important decisions that it has been our responsibility to make in a long while.

Should the Senate, in its wisdom and in the exercise of its independent judgment, reject the treaty, we shall have put the world on notice that we are committed to a relentless competition to develop ever more powerful weapons of destruction. What other conclusion could the Soviets, the French, the Scandinavians, or any other people reach? We shall have declared to the world that our enunciated policies of seeking some measure of agreement in this field were nothing more than the wishes or the propaganda policies of chief executives who could not obtain the support of the Senate in this vital field. We shall have cast doubt on the sincerity of our professed desire for peace. We shall, in some measure, have forfeited our claim to leadership in the search for an alternative to a world ruled by force, for an alternative to an ever-growing danger of nuclear destruction.

Mr. President, those who would reject the treaty or destroy it by reservations must be prepared to accept the hazards of its rejection. Once the treaty has been entered into by all the nations which have signed it, the Senate is hardly free to reach its decision without consideration of those factors and the consequences which would flow therefrom.

It may well be that Nigeria, or other signatory nations, will not be able within the century to build nuclear weapons. But the people of Nigeria, the largest country in Africa, have an interest in stopping nuclear weapons tests in the

atmosphere because the fallout hazard lays an indiscriminate hand upon human beings of whatever race or of whatever country. It not only has an indiscriminate effect among races of people but also an indiscriminate effect on all biological life.

Mr. President, we are hardly free to consider the treaty separate and apart from the world community of which we are a part—indeed, of which I am proud to say we are a leading part. Our country took the lead in creating this problem; I am proud that it has taken the lead in the search for a solution to this awful power that has been unloosed.

What are some of the hazards of rejection?

There is the hazard of a rapprochement or reconciliation between the Soviets and the Red Chinese.

If Mr. Khrushchev is not able to move toward a minimum accommodation with the West he may desire to ameliorate the tension in the East. Instead of promoting division within the enemy of communism, as I think the treaty might well do, as the Red Chinese daily testify to, rejection of the treaty might tend to bring them together and to solidify the Communist alliance, the greatest strength of which has been its monolithic unity.

I think there may be a hazard of military control of the Soviet Union. I am not a champion of Mr. Khrushchev, but I shall never forget that when he was in political difficulty at home because of the U-2 incident, he came to the Paris Conference with a big marshal, who shadowed his every step, and overheard his every word.

I do not pretend to have any psychic powers or any penetrating understanding of the Soviet society, but I raise this question. We have heard scholars of the Soviet society many times allude to the contest between the military domination on the one hand and civilian domination on the other. This is a problem not unknown in our own country, as referred to in the parting advice of former President Eisenhower.

There is the hazard of an outraged—if not outraged, a very disappointed—world opinion. Some Senators do not think this a subject worthy of consideration. I have heard disparaging remarks made about those who do not wish to bring about unfavorable world public opinion.

Although there are those who belittle the influence of world opinion, there is little doubt that rejection of this treaty now would be the single most important act the United States could take to destroy American influence throughout the world. It would be a blow to American leadership and to American prestige. We would thus isolate ourselves from the sentiment of a large proportion of mankind.

I should like to mention another hazard, the hazard of proliferation of atomic weapons into the hands of many nations.

In my opinion, and according to informed testimony, at least eight non-nuclear powers have the capacity to develop nuclear weapons of their own.

Perhaps 25 or 30, given a little more time, could develop them.

Rejection of this treaty and the consequent interpretation that the United States, instead of taking this first step—this pause—would travel the other route toward greater and greater atomic armaments, would operate to invite all those nations to build for themselves atomic weapons, thus multiplying the danger of a planned or accidental precipitation of a nuclear exchange.

Whether nuclear missiles start flying through the atmosphere into space and falling to the earth because fired from a small nation or from a great one might not be easily and quickly determined. The first burst might mean the touching of many buttons and the incineration of millions of people.

I repeat, the leading two atomic powers are those which would suffer most. Is there mutual interest? What greater mutual interest could the Soviets and the Americans have?

I do not suggest, Mr. President, that the Senate should ratify this treaty merely because the President has negotiated and approved it or merely because nearly 100 nations have signed it. The Senate, under the Constitution, has an obligation to reject an improvident agreement which would imperil the national security.

As I said in the Senate yesterday, I repeatedly advised the President, both personally and from the floor of the Senate, that in my opinion the most disastrous thing which could occur in this connection would be the approval of a treaty by the President on this subject which would be rejected by the Senate. I also advised as best I could that in my opinion the Senate would reject an improvident treaty on underground testing which did not provide for an adequate system of detection and inspection to verify compliance with the treaty.

But the Senate has an obligation to weigh and consider the risks of rejection as well as the risks of ratification.

This I have attempted to do. I have concluded to support the treaty.

It has long been my view that a treaty ban on nuclear weapons tests to be acceptable to the United States, must by its terms provide an effective means of verification. I have long been concerned about proposals for a comprehensive test ban agreement because I do not believe the Soviets would ever agree to a degree of on-site inspection which would bring the risks of verification within manageable limits. The elimination of underground tests from the terms of the treaty has, in large measure, eliminated this problem.

There are few certainties in this complex world in which we live. Rapid change is the earmark of our time. There is some risk, as I have said, in every action we take, or in every step we take or fail to take in the fields of military policy and foreign affairs. We must be prepared to accept minimal and manageable risks if such action would be helpful as a first step toward reducing the threat of nuclear war. We have a duty to avoid ill-advised action that might increase the threat of nuclear war.

Our highest military authorities assured the Senate and the American people that the terms of the pending treaty pose no unacceptable military disadvantage. On balance, both militarily and politically, the evidence before us and the political realities of the world in which we live strongly support ratification of the pending treaty.

With this I close. I shall vote with the deepest of conviction that the approval of the pending treaty is in the interest of the United States, in the interest of humanity, in the interest of the people of every nation in the world, be that nation small or large.

Mr. RANDOLPH. Mr. President, as a boy I often stood atop a West Virginia hill and traced a rainbow through a storm. I stand today in this forum of debate and decision. I sense a rainbow of promise as we come nearer to the rollcall which will, I believe, bring the ratification of the nuclear test ban treaty. The promise must not be in vain.

The debate on the treaty has demonstrated the function of the Senate in one of its most fundamental duties. Individual Senators have maintained a high level of seriousness and have exercised a deep sense of loyalty to their personal convictions and have translated the convictions of the constituents in their States as well.

It is with this recognition and respect for the views held on both sides of the issue that I am constrained also to state that the debate has demonstrated the remarkable capacity of the human mind to adjust to almost any extremity and to clothe an inherent lunacy in the garb of rationality.

The scholarly chairman of the Foreign Relations Committee [Mr. FULBRIGHT], in presenting the test ban treaty to the Senate on September 9, declared:

There is a kind of madness in the dialog of the nuclear age, an incredulous response to terrors beyond our experience and imagination.

This "madness," Mr. President, lies near the heart of the debate, not only in the Senate, but in the continuing dialogs of almost two decades.

Eighteen years ago last month, the world vaulted into the nuclear age in terms not of theory but of operations. The response then to the almost instant incineration of more than 60,000 people in Hiroshima was that mankind had finally overreached itself—that the final and ultimate horror of war would eradicate war itself.

The popular response in America to the apocalyptic vision revealed in the fireball over Japan was characterized in the widely read book of that day, "No Place To Hide." Since then we have had lengthy and learned debates on "places to hide," and serious economists and nuclear strategists have discussed plans for placing a large part of our industrial system underground in preparation for a prolonged nuclear exchange.

There has been consideration of the possibility of putting some industry under the mountains of West Virginia. Certain surveys have been carried forward looking toward that possibility.

Seventeen years ago, the official response of the American Government to the nuclear age was presented in the plan of that grand American, Bernard Baruch, to "entrust all phases of the development and use of atomic energy" to an international atomic development authority. Yet today—in the name of military security—we hear the proposed test ban treaty opposed partially on the grounds that it will prevent our testing a 60-megaton bomb in the atmosphere—a bomb with 3,000 times the explosive yield of the machine that wiped out Hiroshima. In 18 years we have moved from the shock and horror of contemplating the death of 60,000 persons to an almost casual and academic consideration of the prospect of 70 million or 100 million Americans being wiped out in a nuclear war with the Soviet Union.

Since the mind cannot possibly comprehend such universal chaos and destruction, we have developed a new and protective lexicon composed of such terms as "the principle of imposed, involuntary reaction," "vulnerability of the retaliatory force," and "systems of mobile dispersal." Somewhere in the process, Mr. President, our perspective has become unhinged from the human realities which are obscured by this kind of language. Whether or not this is the kind of "madness" to which the chairman of the Foreign Relations Committee referred earlier last week, it qualifies for the term in my opinion. And I confess some difficulty in perceiving any enhancement of our national security in this escalation of destructive power and in our emotional and intellectual accommodation to the present condition.

I am not a member of the Foreign Relations Committee. Nor have I had the benefit of sitting on the Armed Services Committee. But I have read the hearings with care. I have followed the previous debate in this forum and in the Record, and I have pondered the issues with the most serious deliberation.

The question of arms control in the broad sense is not an entirely new issue to the senior Senator from West Virginia. As a Member of the U.S. House of Representatives, I introduced on June 29, 1945, a bill to create a Department of Peace at the Cabinet level. Former Senator Alexander Wiley introduced a slightly different measure in the Senate on July 6 of that year. We believe then—and I continue to believe—that this Nation must give as much attention, at a high executive level, to the attainment of peace as to the art and science of military pursuits.

I was one of the cosponsors of the measure in 1961 to establish the Arms Control and Disarmament Agency in the Department of State, which I believe has received not enough credit for the unglamorous spadework which preceded the final negotiations of the pending treaty.

I note the presence of the Senator who had more to do with the sponsorship and leadership of that law than any other Member of Congress, the senior Senator from Minnesota [Mr. Humphrey], and assistant majority leader. I know and he knows that the Arms Control and Disarmament Agency has not received its due credit for the unglam-

orous spadework which preceded the final negotiations on the pending treaty.

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

Mr. RANDOLPH. I am glad to yield to the Senator from Minnesota.

Mr. HUMPHREY. I am very pleased that the Senator from West Virginia has made this comment about the Arms Control and Disarmament Agency and the work of Mr. Foster and Mr. Fisher and the other persons who are associated with these two distinguished governmental officials.

A good deal of work went into the preparations of the treaty which is now before us. Much of that work was undertaken under the guidance and direction of Mr. Foster and the able legal counsel of Mr. Fisher. Several days ago in the debate in the Senate, one of our colleagues asked me what great international lawyer was present at Moscow to protect our rights and to look out for the interests of the United States at the time of the negotiations on the treaty.

The Senator from Minnesota was not quick enough in his response and not very adequate. I did mention the fact that a man of the stature and ability and experience and maturity of the Under Secretary of State Mr. Harriman was present. I should have also added at that time that Mr. Adrian Fisher, former General Counsel of the Atomic Energy Commission, and one of the most able lawyers in this country and dedicated to public service, was also present.

I mention this only because very often we tend to forget that the Arms Control and Disarmament Agency people had a very singular role to play in the negotiation of the treaty.

I wish to say one further word to the Senator from West Virginia. I heard his comments on the subject of the development of the art of peacemaking, or of the role of seeking a just and enduring peace. The Senator from West Virginia will be long remembered for his dedication to peace without appeasement, to strength for our country without arrogance and belligerence. I am very happy that it has been my privilege to be associated with him in many of these endeavors on the part of our Government as we reach out to find ways and means of protecting the freedoms that are ours and extending these freedoms to others, while at the same time attempting to relieve and to limit the tensions in the world which could lead to a terrible catastrophe, a world war. The Senator can be very proud of his efforts, as indeed I know his constituents are proud of what he has done.

I congratulate him upon his genuine leadership throughout the years, in private life and in public life, in the interest of the security of our country and a genuine, lasting peace in the world.

Mr. RANDOLPH. I shall cherish the generous remarks of the Senator from Minnesota. All too often in this restless world, we fail to express the appreciation we feel. To what the Senator has said with reference to the men in the Agency to which I have given my endorsement, I add only this expression, "Ingratitude is the most reprehensible of vices." I have never found the Senator from Minnesota lacking in his expres-

sion of appreciation to those who work for enduring goals and for the benefit of their mankind.

More recently, in April of last year, the Senator from West Virginia now speaking served as a representative of this body at the Interparliamentary Union Conference in Rome. There I participated in the sessions of the Disarmament Committee; and in October 1962, I also was among those representing the Senate at the NATO Parliamentarian's Conference in Paris. I draw attention to these matters, Mr. President, to indicate that while I am not a member of either of the committees which has submitted its report to the Senate on the test ban treaty, I have long maintained a deep-seated and thoughtful regard for the issues which comprise the substance of the treaty.

However, I do not hesitate to admit that this experience does not qualify me independently to evaluate the technical problems related to the test ban treaty. For this, I must rely on the testimony of the military and scientific experts presented in the hearings.

The Senator from Washington [Mr. Jackson], in his closely reasoned address to the Senate on September 13, referred to the need for hope as well as vigilance in the acceptance of the treaty. I would also point to the operation of faith—the faith that each of us must have in the competency of the technical judgments on which we base our final decision.

Few of us, perhaps not even the knowledgeable Senators who serve on the Armed Services Committee, possess the independent scientific and technical knowledge to appraise all the implications of the nuclear test ban treaty. In a previous era, when military strength was a matter of tanks, of guns, and of battleships, militarily educated and experienced Members of the House or Senate could cope with our strategists on their own terms and in a common language.

Today, however, the military sciences and technology, like other sciences, have become fractured into a number of increasingly esoteric and specialized branches in which only the experts seem to have the answers. And because many of the issues involve a degree of speculation and the weighing of different variables, we discover even the experts in disagreement.

Thus, it is with some relief that one reads in the hearings of the Committee on Foreign Relations the testimony of Dr. George Kistiakowsky, at page 855, that Dr. Harold Brown, Director of Defense, Research, and Engineering of the Department of Defense is "the only witness so far heard who can speak with real authority regarding the total ABM problem, and the related developments in offensive system. He has access to all the intelligence regarding Soviet activities and all of the expertise in the United States on our future capabilities that relate to the problem."

Therefore, on the basis of my faith in the knowledge, integrity, and experience of Dr. Kistiakowsky, I turn to the testimony of Dr. Harold Brown in order to resolve the doubts created by the testimony of Dr. Teller. In reading the testimony of Dr. Brown, I find that his carefully

phrased and frequently qualified statements indicate the areas of uncertainty and speculation in the field of nuclear strategy and systems development.

These areas of ambiguity in the technical and military spheres therefore justify our weighing the political and historical considerations in the total balance. And they justify our right to hope that we may somehow break through the vicious spiral of nuclear buildup.

Risks are involved in the test ban. But risks are involved in any course of action in this world. Those that would be incurred under the test ban appear to me to be less mortal in the long sweep than those we would confront with a continuation of uncontrolled testing.

The interim report of the Preparedness Investigating Subcommittee of the Senate Armed Services Committee presented eight military and technical disadvantages which would be encountered by the United States if the treaty is ratified. With the exception of the eighth point—regarding the lessening of accessibility to information on Soviet capabilities—these objections have been answered to my satisfaction by the testimony of Dr. Brown and others, as well as by the assurances and safeguards mentioned by the Senator from Washington [Mr. JACKSON] in his comprehensive remarks. It should be emphasized that the Preparedness Subcommittee quite explicitly stated in its report that it avoided an appraisal of "political considerations, and matters involving foreign and international affairs." The subcommittee's report closed with the admonition to Senators that "each individual must reach his own judgment on the basis of personal philosophy, past experience, current knowledge, and the relative weight which he assigns to the various factors involved."

In this respect, my personal philosophy is guided by the axiom that the only changeless fact in life is change itself. The art of government, in this context, is to help to channel the forces of change in the direction that will best fulfill the aspirations of our society. Today, the overwhelming aspiration of the American people, of the Soviet people, and of most humanity, is for world peace.

In my campaign of 1958, as I talked with people about bread and butter issues in the mountains of West Virginia, they spoke about jobs too often denied them through the technological changes; about mechanization and automation within industry. They spoke about schooling for their children, and a decent life.

Yet if I tarried beyond a quick handshake or a hurried conversation, I found they wanted to talk with me about peace and a world in which their sons, growing to manhood, would not have to go out and bear the burden of warfare and perhaps give their lives. The distinguished Senator from Hawaii [Mr. INOUE], who is sitting beside me, has known the bitter fruit of war as a much decorated combat infantry officer who saw action during World War II in France and Italy.

The proposed test ban treaty offers a slight but significant move in the direc-

tion of world peace, and for this reason I shall vote for its ratification.

Mr. President, there are many aspects of a future under the test ban treaty which we cannot know with certainty. Indeed, there is little in this life about which we have absolute and certain knowledge. But of one prospect I believe we can be certain: That we cannot maintain the status quo of our present nuclear deterrent vis-a-vis the Soviet Union. Every new test brings new knowledge and an accelerated effort by the other party to duplicate or surpass that knowledge. With every test, the prospect of proliferation of nuclear arms to other countries increases, and with it the prospect of accidental war, war by miscalculation, or war precipitated by the actions of an irresponsible dictator of a minor power. Thus, especially in recent years, the long-term security of the United States has not been strengthened by the development of nuclear technology.

We have never been so strong, yet seldom has peace been less secure.

Most certainly, risks are involved in the ratification of the treaty—risks that have been pointed out by knowledgeable Senators, especially the distinguished Senator from Georgia [Mr. RUSSELL] and the distinguished Senator from Mississippi [Mr. STENNIS]. One may not lightly dispense with the precautions advanced by those who have participated so extensively in the development of our nuclear deterrent. Yet I would prefer to live with these uncertain elements than with the almost certain prospect of eventual nuclear holocaust, if the present tendency is not altered.

Nor am I expounding the cliché that an armament race inevitably creates or leads to war. We have seen many instances—not the least of which occurred last October—when military strength has been a deterrent to war. The test ban treaty, however, is not addressed solely to a situation in which two protagonists are poised against one another; it is also designed to help forestall or prevent the time when the present so-called "nuclear club" of three or four members is joined by a 5th, a 6th, or a 16th. Those who would argue against the eventual prospect of nuclear war under such conditions as these take a more sanguine view of human nature than I can summon.

There is a curious irony in this regard, in that those who are concerned solely with U.S. military strength, and who avow that "you can't trust the Russians," are viewed as "hardheaded" and "realistic." Perhaps, in another age, it was realistic to declare, as Justice Holmes did, that:

Now, at least, and perhaps as long as man dwells upon the globe, his destiny is battle, and he has to take the chances of war.

That, however, was the marital and heroic temperament of another age. Today, with the capacity for universal destruction, one who takes a realistic view must acknowledge that man has little longer to dwell upon the globe unless he takes measures to alter his destiny of battle.

Approval of the test ban treaty is a small, concrete step in the direction of

a possible new destiny for all mankind. But it is a step of major symbolic purpose in the contribution that it may make toward a new climate of understanding between the United States and the Soviet Union. This does not require that we trust the Soviet leaders, but only requires that we assume they are rational men not bent on self-destruction. This is the same assumption of rationality which guides our military strategy.

The ratification of this treaty will signify for the first time since World War II that the interest in survival which we hold in common may, on occasion, override the issues which separate us. Perhaps this recognition of mutual self-interest in the test ban treaty can, in the future, guide us toward other areas of accommodation, and thereby advance the realization of our desire for peace. The goal is worth the hazard, Mr. President; and I reaffirm my support of approval of the treaty.

Rejection of the treaty might thwart the concerted efforts of men and nations in the quest for peace. We must not allow the crucifixion of humanity on the cross of a nuclear conflict which conceivably could destroy our civilization.

Mr. HUMPHREY. Mr. President, will the Senator from West Virginia yield?

Mr. RANDOLPH. I am glad to yield.

Mr. HUMPHREY. I commend the Senator for his moving and eloquent address. It is one of several I have heard that touch one's heart, move one's spirit, and appeal to the mind and the sense of reason. The Senator's concluding words were most eloquent; and I assure him that his speech will be very helpful in the cause for which we work.

I regret very much that I was out of the Chamber briefly at the time when the distinguished Senator from Tennessee [Mr. GORE] completed his remarks and the Senator from West Virginia began his. Certainly the Senator from Tennessee fully merits the commendation, the praise, and the respect of each and every one of us. I am confident that the Senator from West Virginia will agree with me that it was a very persuasive and thoughtful address by a Senator who has given many years of his life to the consideration of the intricate and difficult problems relating to our defensive strength, our foreign policy, the development of nuclear power and nuclear weapons, and the control of those weapons.

Mr. RANDOLPH. I certainly do agree.

Mr. HUMPHREY. Mr. President, we are about to hear from the distinguished Senator from Hawaii [Mr. INOUE], who has given so much thought to the issue before the Senate. We shall be privileged to hear the words of this distinguished Senator, who has had long experience in the matters of foreign policy and defense; and I look forward to hearing his address.

Mr. INOUE. Mr. President, I am somewhat hesitant about addressing myself to a subject on which so much expert testimony has been delivered in the various committees by so many persons with such thorough knowledge. I

1963

CONGRESSIONAL RECORD — SENATE

16535

have heard equally impressive arguments on the floor of the Senate, both for and against the approval of the test ban treaty with the Soviet Union. It would take either a person with highly informed, technical knowledge or one very deeply committed to attempt to cover the same ground. I feel that although I speak essentially as a result of the latter stimulus, there are many other Americans who feel the same way I do. We are not experts, but we have listened to them carefully, and we feel that the choice must now be made.

During the various committee hearings on the subject, I indicated in a speech to my constituents that if I found myself personally convinced that the treaty would reasonably and adequately safeguard the national interests of our people, then I would do everything possible to secure its approval and ratification. Although the Senate deliberations are yet to be completed, I now find myself convinced that ratification is imperative to our national interests.

I have listened to expert witnesses in committee. I have thoroughly studied the reports of the Foreign Relations Committee and the Preparedness Investigating Subcommittee, and have sat through many a session of the Armed Services Committee.

I have sat and listened to distinguished Senators as they have spoken in the Senate—some with years of experience in the field of weapons development, others with invaluable insight into the intricacies of diplomatic relationships. I have listened to the statement by the President, to the learned exposition by the chairman of the Foreign Relations Committee, and to the truly magnificent extemporaneous remarks of the distinguished leader of the minority party. They have all been eloquent, and have shown remarkable perception of the possible military, technological, and political consequences of ratification or non-ratification.

I need not review all the arguments either for or against the treaty. We have all heard them here on the Senate floor. Moreover, anyone who has taken the time to read the 1,000-page report of the Committee on Foreign Relations, with arguments ranging the entire spectrum from Secretary of Defense McNamara to Dr. Edward Teller, or who has studied the tightly argued and technical 25-page report of the Preparedness Investigating Subcommittee, knows full well the testimony of the experts. He should also have more than a layman's understanding of how multimegaton, low-megaton, and submegaton weapon capabilities may or may not be hindered by the ratification. He should understand the arguments and counterarguments on how the treaty may affect U.S. development of very high yield atomic warheads equal to or surpassing Soviet achievements.

And if he has heard or read Dr. Teller's testimony and compared it with that of the Secretary of Defense he should have some notion of the arguments revolving around the question of the effects of the treaty on our ability

to develop further our antiballistic missile defense capabilities.

Frankly, I must confess that I am not enough of a military weapons expert or an applied physicist to understand thoroughly all of the various technical points raised in these arguments and counterarguments. Moreover, I must confess that I am not completely at home in the legal technicalities concerning international law and the theory of abrogation of treaties, so ably covered by Senator FULBRIGHT in his opening remarks. However, I am painfully aware that the Soviets have not established a particularly enviable reputation for adhering to treaties.

I do know the thesis which underlies practically every military and scientific argument against the ratification of the treaty. That thesis, variously stated, is that the Soviets would not have agreed to the test ban treaty unless it was to their advantage and clearly detrimental to the United States; that the Soviets have already attained the knowledge required for an effective antiballistic missile defense complex; that they have already developed advanced technical data on high yield blast, shock, communications blackout, and radiation and electromagnetic phenomena through their 1961-62 series of nuclear fission tests called by Dr. Teller "the most powerful, the most plentiful, the most repetitious, the most solid ever carried out by any nation"; that the Soviets will not be prevented from cheating because of their ideology but that we will suffer because we will be honest due to our moral commitments; and finally, that we simply cannot trust the Soviets.

I think that those who have argued for ratification have not dismissed these theses lightly. Rather, they have seriously considered them and have pondered their consequences. But in the end, I must agree with the Secretary of State who has said:

If there may be marginal risks in it, they are far less * * * than the risks that will result if we accept the thought that rational man must pursue an unlimited competition in nuclear weapons.

The risks that will result from an unlimited nuclear arms race are clearly apparent. At the worst, it may mean staring ultimately into the inferno of thermonuclear destruction. At the least, it means bequeathing to still unborn generations the fallout from additional nuclear blasts, the precise number of which we may never know in our time.

I think it is logical to conclude that the very worst may be anticipated because a spiraling arms race can only result ultimately in a confrontation of adversaries. And a spiraling arms race is inevitable in the argument of those who say the treaty will prevent the United States from engaging in this experiment or that test to further develop ABM capabilities, or nuclear warhead reentry into the atmosphere, or any number of military nuclear capabilities.

At the very least, we can expect the cumulative residue from nuclear explosions past, present, and future, to add up to proportions with which statistics and

statisticians need not bother. This would be especially so if in the absence of a test ban, more and more countries would eventually conduct more and more tests. What makes this possibility even more foreboding is the fact that countries entering the nuclear arms race in the future may have neither the technical means nor the necessary incentive to try to control excessive fallout. As has been said: "We have a high obligation to safeguard life and health and the genetic integrity of the human race." In many ways, the test ban treaty is as close a guarantee which we can have today that future generations will not be required to meet costly installments in genetics for thermonuclear experiments today.

It is a rather interesting and significant fact to me that although we most certainly have had conflicting testimony both in the present discussions on this treaty and in the past, I can recall no one who has in any way intimated that continued exposure to radiation has no harmful effects. Grand promises of a more bountiful future are completely devoid of any meaning if we simultaneously bequeath to the future radioactive pollution of the essentials of life on earth.

I am not willing to leave this legacy of contamination.

I am not eager simply to increase the potential of each megaton to kill more effectively.

I am deeply concerned that we renew with increased vigor the attack on the problems of human misery in this Nation and throughout the world.

In short, I am very much disturbed that we should emphasize the art of war rather than the art of peaceful living.

Last week, the President informed us that more than 90 nations, excluding Communist China and France, have already ratified the test ban treaty. The collective eyes of the rest of the world are focused upon the Senate of the United States. In an important sense, we are also staking our position of international leadership. We have been continuously asking for some sort of modus vivendi on the problem of nuclear tests between East and West. This marks the third administration which has attempted to do so. Both political parties have been on record to reach some sort of accord. We have never been closer. If we do not ratify this treaty, we can never rest assured that nations not now involved in nuclear development and testing will not enter, however reluctantly, the mad race to attain nuclear capabilities. The secrets of thermonuclear fission are surely not perpetually secure from the rest of the world.

The chain reaction first conceived in the Manhattan project, then given birth on the sands of Alamogordo, received its fiery baptism at Nagasaki and Hiroshima. Since then, it has reached across the Siberian wastelands of the Soviet Union, tropical Christmas Island in the Pacific, and into the desert of the Saharas. From what we now know, it may reverberate in the hinterlands of Red China in the near future.

16536

CONGRESSIONAL RECORD — SENATE

September 18

How soon will we see the ominous mushroom clouds over the horizons of other nations? We will see them as certainly as we now see the setting sun. We will see them just as soon as these countries reach scientific maturity and technical competence. Yes, we will see them so long as there is no test ban agreement among the leaders of the world.

But, by then, it may be too late. In the collective quest for nuclear proficiency, the world might be just a step away from total annihilation. In chasing the thermonuclear tiger's tail, we may all just melt away.

The ratification of this treaty by all the three major powers involved may, therefore, have a salutary effect not only amongst these signatory nations but upon the nuclear and military ambitions of the entire world. At least, I think that this is a legitimate hope. The National Council of the Churches of Christ thinks so:

The treaty is a first step—

Says the council:

It does not halt production or reduce existing stockpiles of nuclear weapons; but it may slow up the nuclear arms race and will diminish the health hazards from radioactive fallout to this and future generations.

Of itself it does not prevent the spread of nuclear weapons to nations without them but it does prohibit assistance to other nations in making tests in the environments which it specifically proscribes. It does not end the threat of nuclear war or outlaw the use of nuclear weapons; but it opens the way to further agreements and thereby reduces the threat of war.

Certainly, these are words of eminent theologians. But there will be those who will ask, rather understandably: "Are there any scientific minds supporting a similar position? After all, is this not ultimately a scientific and technological question?"

Some of the Nation's top scientists have issued a very similar statement, although much more tersely worded as perhaps befits their objective nature. This statement issued by a group of 54 scientists, including 19 Nobel laureates, from Harvard and MIT to Stanford and Cal-Tech, state:

We have widely divergent views on almost every conceivable subject. But all of us agree on the importance and urgency of supporting the nuclear test ban treaty. What is it that unites us on this issue? These inescapable facts:

1. The treaty will reduce the likelihood of nuclear war.
2. The treaty will discourage the spread of nuclear weapons to nonnuclear powers.
3. The treaty will create a better climate on both sides for a slowup of the arms race.
4. The treaty will protect us and our children from exposure to additional doses of contamination from radioactive fallout.
5. The risk of continued testing is greater than the risk of a test ban. The treaty will protect the national security of the United States. Furthermore, under the terms of the treaty, we can resume testing if we ever feel our national security is threatened.

This is as succinct a statement as I have ever read nailing down the precise reasons why ratification must be had. Included in the list of eminent scientists who have signed their names to the fore-

going statement are Dr. James R. Killian, Dr. George Kistiakowsky, and James J. Wadsworth, all names highly respected for their scientific and social objectivity.

After all has been said and resaid, I think that it is reasonable to conclude that the basis of most of the objections to ratification of the treaty is that the Soviets cannot be trusted—that the record of past duplicity in diplomatic negotiations should lead us to suspect the Soviet motive in the signing of the test ban treaty.

Let me repeat here that the Soviet's past record in this regard is not especially encouraging. But the Senator from Arkansas [Mr. FULBRIGHT], in his remarks to this Senate, indicated that in order to obtain a proper perspective on this question, it should be noted that the Soviets have satisfactorily observed a significant number of multilateral and bilateral agreements to which it has been a party. The distinguished Senator from Arkansas went on to say that the Soviets indeed have used the criterion of national interest in adhering to or abrogating treaties. However, the Senator reminded us of various factors which he considered definitely to the interests of the Soviet Union in adhering to the conditions of this treaty.

These factors of national interest to the Soviets included the conclusion that they have achieved a position of comparable technical parity with the United States in nuclear weapons development as a result of the 1961-62 tests, that the Cuban crisis forced the Soviets to realize how close they were to nuclear holocaust, that the Soviets are concerned over the Chinese Communists' position of intransigence.

And then, of course, he concluded:

I do not think we can be so self-righteous as to say this country has never violated a treaty. I did not follow it closely, but I believe the Seneca Indians have been saying that this Government violated its treaty with the Seneca Indians in New York.

For half a century, we in Hawaii, like the Seneca Indians, had almost come to believe that the promise of eventual statehood was never to be fulfilled, until that glorious day in 1959 finally arrived.

But I think that the most compelling argument against the charge that this treaty rests purely on trust of the Soviets has already been delivered by Secretary of State Rusk in answer to a question during the Senate Foreign Relations Committee hearings. Let me remind Senators of it, for I think it is the best answer that I have heard throughout the hearings as well as the deliberations on this floor. Said the Secretary:

If we thought that we could rely upon trust, we should probably be discussing a comprehensive test ban treaty rather than one in the atmosphere, outer space, and under water. I do not believe that an agreement of this sort can rest upon the element of faith and trust, because it relates deeply to our own elementary security needs. I do think that we must ask ourselves two questions: Is this treaty, if it is complied with, in the interests of the United States, and are the arrangements in the event the treaty is not complied with adequate for our safety and security? I think the answer to both those questions is "Yes." We will know if there are significant violations of this treaty, we

will be free to do whatever is necessary in our own security, and I would think that this is not a matter of trust.

I can personally conceive of no better or more effective way to close my remarks today than by quoting the masterful and moving speech by the leader of the minority party on Wednesday, September 11, 1963, a date on which I was privileged to preside over this body. Said the Senator:

I want to take a first step, Mr. President. I am not a young man; I am almost as old as the oldest Member of the Senate, certainly an older than a great many Senators. One of my age thinks about his destiny a little. I should not like to have written on my tombstone: "He knew what happened at Hiroshima, but he did not take a first step."

Mr. President, I support the ratification of this limited test ban treaty, without reservations or amendments.

LOOKING AHEAD TO THE 18TH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS

Mr. HUMPHREY. Mr. President, the United States should take the initiative, at this session of the United Nations General Assembly, to create a constructive and conciliatory climate which could lead to a serious discussion between the United States and the Soviet Union of the basic political issues of the cold war. During this session of the United Nations, consideration should be focused on five problem areas offering some possibility of progress:

First. The area of financial support for the United Nations and its peace-keeping functions.

Second. The field of outer space.

Third. The field of lunar exploration.

Fourth. The field of educational, cultural, scientific, and economic exchange.

Fifth. The field of East-West trade.

If progress can be made toward achieving greater cooperation in these functional areas, the chances will be improved for successfully tackling the more delicate political questions later.

In the wake of the test ban treaty, our U.S. delegation to the United Nations should prod the Soviet Union to show a greater willingness to share in the financial burdens imposed upon the United Nations: specifically it can take measures to pay up its regular United Nations assessments and can contribute its proper share to the United Nations peacekeeping operations in the Congo and the Near East. The Soviet Union should cease harrassing the United Nations, and, instead, should strengthen its role as a peacemaker by strengthening its financial position.

We should make clear our willingness to cooperate with the Soviet Union and with other nations in the field of outer space. The whole question of exploration of outer space and of the law that will govern outer space are ripe for further discussion and bold new actions.

I am encouraged by recent statements by Soviet officials on outer space policy. In a statement last week in the United Nations Committee on Outer Space, Dr. Nikolai Federenko indicated that progress could be made in drafting a declaration of legal principles to govern space

Approved For Release 2004/03/11 : CIA-RDP65B00383R000100210008-2

UNCLASSIFIED		CONFIDENTIAL		SECRET	
CENTRAL INTELLIGENCE AGENCY OFFICIAL ROUTING SLIP					
TO	NAME AND ADDRESS		DATE		INITIALS
1	John Warner				
2	Legislative Counsel				
3					
4					
5					
6					
ACTION		DIRECT REPLY		PREPARE REPLY	
APPROVAL		DISPATCH		RECOMMENDATION	
COMMENT		FILE		RETURN	
CONCURRENCE		INFORMATION		SIGNATURE	
Remarks:					
Please retain in your files.					
FOLD HERE TO RETURN TO SENDER					
FROM: NAME, ADDRESS AND PHONE NO.				DATE	
				24 Sep 63	
UNCLASSIFIED		CONFIDENTIAL		SECRET	

Approved For Release 2004/03/11 : CIA-RDP65B00383R000100210008-2

Approved For Release 2004/03/14 : CIA-RDP65B00385R000400210008-2

UNCLASSIFIED		CONFIDENTIAL		SECRET	
CENTRAL INTELLIGENCE AGENCY OFFICIAL ROUTING SLIP					
TO	NAME AND ADDRESS	DATE	INITIALS		
1	Mr. Elder 7D5617				
2					
3					
4					
5					
6					
ACTION		DIRECT REPLY		PREPARE REPLY	
APPROVAL		DISPATCH		RECOMMENDATION	
COMMENT		FILE		RETURN	
CONCURRENCE		INFORMATION		SIGNATURE	
<p>Remarks: Attached are excerpts from the Congressional Record of 18 September containing the continuation of debate on the nuclear test ban treaty. We have not identified any references to the Agency or the Director, however, you may wish to have them available.</p> <p>P.S. If you don't want them - send back. <i>[Signature]</i></p>					
FOLD HERE TO RETURN TO SENDER					
FROM: NAME, ADDRESS AND PHONE NO.				DATE	
Legislative Counsel, 7D01				19 Sept	

Approved For Release 2004/03/14 : CIA-RDP65B00383R000400210008-2