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Test Ban Treaty

Mike Mansfield 1903-2001

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Mr. MANSFIELD. Mr. President, for several weeks, the Senate has had the proposed treaty on nuclear testing. The question has been examined intensively not only by the Committee on Foreign Relations but also by members of the Armed Services Committee and the Senate members of the Committee on Atomic Energy, all of whom were invited to participate in the hearings, and all of whom collectively comprise more than one-third of the membership of the Senate.

There has been in process, in short, a very thorough Senate consideration of the proposed treaty. The specific questions have already been asked and answered, as far as it has been possible to answer them. The specific doubts have been raised, and, as far as possible, laid to rest.

We are now approaching a point at which we must put the penultimate question in solitary conscience. It is
this decision which will produce the final vote by which the Senate will either give or withhold consent to ratification of the proposed treaty.

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The issue now, is not solely the meaning of the treaty for health and human genetics, or for military strategy or for the technology and costs of scientific arms competition but whether Germany mistreats the treaty or France mistrusts it more or Communist China most of all.

All these issues and others have been considered in the painstaking interrogation of the past few weeks. Each has its own unique significance. But each is a fragment of the penultimate question and must be so regarded if we are to reach sound decision.

For the question which now confronts us is the one question which is the sum of the many questions. And a rational response to it can only be the sum of the many judgments by which each of us have arrived in the decisions such wisdom and judgment as each of us may possess. The attitude of no single expert or group of experts in or out of Government official or group of scientists can be controlling on this question. The question is to decide. For if we mean what we mean for any scientist, military leader, cabinet secretary or whatever to decide for us. It remains now for elected Senators to decide for the collective opinion to confirm or refuse to confirm the judgment of an elected President.

This penultimate question which confronts us is simply stated: Does the proposed treaty which is to be on balance, the interests of the people of the United States, when those interests are considered in their totality? Or to put it negatively: Is the proposed treaty, on balance, inimical to the interests of the people of the United States?

If it is inimical, obviously, the President have had the treaty signed in the first place and, certainly, the Senate should not now consent to its ratification. But if the treaty passes even in its first version if reason and common sense should cause the Senate to agree, then, on balance, the treaty is not inimical to this Nation, then that alone would seem to be sufficient grounds for approving it. If we mean what we say when we speak of supporting the leadership of the President, irrespective of party, in his great national responsibilities in foreign relations, we must mean, at least, that in matters of this kind, we are inclined to give him the benefit of those vague and residual hesitations by which each of us in his own way may be possessed.

And may I add, Mr. President, that I do not see how any Senator can vote either for or against this treaty, with his conscience, with sense of absolute assurance. In any major essay in foreign relations there are bound to be—and there should be—hesitations. They would be there if we debated the proposed treaty or any major issue, a month, a year or a decade.

There were doubts and hesitations when a Republican Congress voted a Marshall plan under a Democratic President. There were doubts and hesitations when a Democratic Congress voted a Middle East resolution under a Republican President. The doubts are there year in and year out when Congress considers the foreign policy program. The simple truth is that there are no certainties, no absolutes in significant matters of foreign relations.

Indeed, where there are doubts on this question of a nuclear test ban that in itself would be cause for the deepest concern. For the absence of any doubt would suggest either a dangerous delusion or an insipid insignificance in the treaty.

The truth is that there are risks in this as in any venture in foreign relations. But I remand the Senate that there are also risks in failing to venture, in standing still in a world which does not stand still for this or any other nation. And at this moment in the world's time, the risks of a paralyzed uncertainty may be far greater than those which might stem from the pursuit of this venture.

Indeed, there is a strong presumption that such must be the case. I say that, for Mr. President, the proposed treaty is not instant fancy, no sudden concoction. We have not arrived in haste for this treaty. For the question which now confronts us is a fragment of the penultimate question when those interests are considered in their totality.

This penultimate question which confronts us is the one question which is the sum of the many questions. And a rational response to it can only be the sum of the many judgments by which each of us have arrived in the decisions such wisdom and judgment as each of us may possess. The attitude of no single expert or group of experts in or out of Government official or group of scientists can be controlling on this question. The question is to decide. For if we mean what we mean for any scientist, military leader, cabinet secretary or whatever to decide for us. It remains now for elected Senators to decide for the collective opinion to confirm or refuse to confirm the judgment of an elected President.

The United States strongly seeks a lasting agreement for the discontinuance of nuclear weapons tests.

Note, Mr. President, the phrase "strongly seeks." In short, Mr. President, the search for a nuclear test ban treaty was clearly a cardinal element in the foreign policy of the Nation during the second Eisenhower administration. As he assumed office, he did not have to continue that search. He could have abandoned it. He could have ignored the efforts of the previous administration. He could have turned his back on the affirmations in favor of a nuclear test ban treaty, as they were contained in the platforms of both parties during the 1960 presidential campaign and upon which Mr. Kennedy and Mr. Nixon stood for office. That is a prerogative of the Presidency, and Mr. Kennedy was the President. It had been judged, after a full examination of all relevant information, that the policy was beneficial to the interests of the Nation.

But Mr. Kennedy did not so find. On the contrary, he pursued the matter even as Mr. Eisenhower had done before him. And he continued to pursue it in spite of repeated setbacks and frustrations not unlike those undergone by his predecessor, until an agreement was, at last initiated by his distinguished agent, the Under Secretary of State, Mr. Averell Harriman, on July 25, 1963. That agreement, I would note in order to emphasize its nonpartisan nature, is more closely in accord with the concept of a nuclear test ban treaty that was contained in the Republican Party's presidential platform in 1960 than it is with the similar plank in the Democratic Party's platform.

It is conceivable that one President of the United States may have misjudged the American interest in this highly significant matter, although I do not for a moment suggest that such was the case with President Eisenhower. But I find it most difficult to believe that two Presidents in succession would be guilty of negligence or poor judgment on precisely the same question of national interest. No. Mr. President, there is a strong presumption that a test ban treaty is not only not inimical to the interests of the people of the Nation but also is to their positive advantage.

Further, Mr. President, when members of the Committee on Foreign Relations and the Committee on Armed Services and the Senate members of the Joint Committee on Atomic Energy probe the treaty, they examine the text of the treaty; when they examine the text of the treaty; when they examine every conceivable implication of the treaty for days on end; when they hear countless relevant voices on the treaty; when they consider the treaty's effect upon the United States, including the Secretary of State, the Secretary of Defense, the Joint Chiefs, the Chairman of the Atomic Energy Commission, and the Director of the CIA give sober but unmistakable support for this treaty; when the committees summon for testimony not only the advocates of this treaty but also its most articulate and competent opponents—in short, when the treaty is subjected to the most stringent Senate committee scrutiny and the great preponderance of informed testimony is in favor of—there is a strong presumption that the treaty is in the positive interests of the United States.

I should like to read an extract from the statement of the Joint Chiefs of Staff before the combined committees in executive session. This testimony I understand, after checking, has now been cleared. I refer to the testimony of the particular importance which is attached to the defense aspects of the treaty.

Senator MANSFIELD—

Asking a question of General LeMay—

General, did you understand you correctly—

you do favor the ratification of this treaty?

General LeMay. Providing the safeguards are forthcoming.

Senator MANSFIELD. General Wheeler—

Who, of course, is the Chief of Staff of the Army—

Did I understand you in the same sense?

General WHEELER. Yes, sir.

Senator MANSFIELD. Admiral McDonald—

Who, of course, is the Chief of Naval Operations—

Admiral McDonald. Yes, sir.

Senator MANSFIELD. General Shoup—

Who, of course, is Commandant of the Marine Corps—

General SHOUP. Definitely.

Senator MANSFIELD. That is all, Mr. Chairman.
And yet, Mr. President, a strong presumption is not enough in a matter of this kind. Each Senator has an individual responsibility to examine this treaty, in the light of his own conscience and his own concept of the interests of his State and the Nation.

The Senator from Montana has done so, and he has just returned from reporting to the people whom he represents on his position on this treaty, which will be before the Senate very shortly. And having persuaded himself that the proposed treaty does no violence to but, on the contrary, serves the interests of the people of his State and the Nation.

It serves those interests, immediately and tangibly, in matters of public health as they may involve a resident or a child yet to be born in Montana or in any one of the 50 States. I refer, Mr. President, to the question of radiation which, as an uninvited but ever-present spectator, has haunted these hearings of the past few weeks. There may be no lack of certainty among scientists and doctors on the precise effects of manmade radiation on health and the human species. But there is a mistake about it.

There is a minimal concept of the dangers of radiation from which reputable scientific and medical opinion does not depart. The phenomenon of fallout results in a wide distribution throughout the world from each detonation, wherever it may occur. And radioactivity is both ideologically neutral and wholly indifferent to national boundaries. When carried in the air currents and clouds of the atmosphere, it places free peoples, or peoples or whatever, all on this planet, in the same radioactive boat.

We will find some scientific voices saying that it is a very temporary, this thing which has already been gone by nuclear bomb tests to the planetary setting in which all human life is lived. We will find some scientific opinion which takes the opposite view, that the genetic damage already done has been very substantial. And we will find many scientists who say so far it is not too bad, but we had better avoid much more. That there are these differences is a reflection not so much of a disagreement on the facts but of a lack of objectivity. We are putting values which are put on the integrity of the individual human life. Some are more prepared than others, apparently, to sacrifice the lives of the unborn according to the altar of science for what is regarded as a valid scientific or defense purpose.

In terms of statistics, our own Federal Radiation Council has made some estimates of the human costs of the radioactive byproducts of nuclear bomb tests. The figures which it supplies are exclusive of the effects of the last Russian test series of superbombs in 1962. This Council indicates that all tests in the United States and throughout the world through 1961 could produce in this Nation's population anywhere up to 15,000 cases of gross physical and mental birth defects and, possibly, up to a maximum of 2,000 leukemias and up to a maximum of 700 cases of bone cancer within the next 70 years. Other adverse health effects of these tests, as, for example, those of the Iodine 131, which are children's thyroids in the vicinity of tests sites in the Mountain States of the West, are strongly suspect. The same is true of Cesium 137 which has been delivered in heavy quantities to Eskimos in Alaska as a result of Soviet tests in the Arctic.

Still other ill effects cannot even be guessed at, as, for example, those of Carbon 14 of several thousand years and may be said, therefore, to have already altered the human environment permanently.

Understanding some of these terms, I ask unanimous consent that at this point in my remarks definitions of some of the items which I refer to and which are mentioned, be incorporated in the Record.

The PRESIDING OFFICER (Mr. Walters in the chair). Is there objection?

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

DEFINITIONS
Radionuclide is an isotope of an element with radioactive characteristics.
Strontium 90 is a long-lived radionuclide (half-life 28 years) with chemical properties similar to calcium.
Cesium 137 is a long-lived radionuclide (half-life 30 years).

Mr. MANSFIELD. Mr. President, It is all very well to note that the statistical projections suggest only a very small number of Americans as adversely affected by all tests worldwide through 1961. But it would not be very well to tell that to the specific Americans who will suffer the consequences. Furthermore, it is clear that the Russian test series of 1962 will add to the specific totals of health damage already projected in the United States. It is clear,
too, that any additional tests in the atmosphere by the Soviet Union, the United States, or any other country will do the same and, if it be a treaty, the addition to the totals can be large or small, depending upon the whim and the capacity not only of ourselves but of the Soviet Union or any other nation.

Mr. GORE. Mr. President, will the Senate yield?

Mr. MANSFIELD. I am delighted to yield.

Mr. GORE. I have listened with great interest to the able address of the distinguished majority leader. Like him, I do not entertain the capacity to reach scientific judgment in this complicated and technical field.

As the Senator knows, it has been my privilege to serve on the Joint Committee on Atomic Energy, and I have listened to many scientists discourse upon this subject. One thing I have never heard, and the foremost contaminant of additional radioactivity would be beneficial to the human race. They may disagree as to the level of radiation that would be acceptable, but no one can deny that more than the median amount of radiation; but I have never heard any scientist say that any additional radiation would be helpful to the human race.

Mr. MANSFIELD. I deeply appreciate the remarks of the Senator from Tennessee. This is not the first time he has made comments of that nature; and, in all honesty, I must admit that one of the reasons I am making this speech today is because of the comments he has made on this particular subject over the years. So I am deeply appreciative of the comments he has just made.

Mr. President, it is clear, in short, that however small the effects appear to be in induction, atmospheric bomb testing has already caused a damage to human health and, potentially, its continuance is a great danger to human health. It is clear that it must be so said in this Senate that we will not find one reputable scientific voice which will advocate the continuance of bomb testing on the ground that they will provide whatever kind of fillip for human health or a genetic stimulant for the improvement of the human species.

Therefore, the fundamental, if unspoken, assumption of the treaty must be that neither this Nation nor the Soviet Union seeks the dubious distinction of being the world's greatest producer of radioactivity, w111 multiply. Neither an unspeakable fact remains that a total anarchy in this critical matter still exists in the world. The inescapable fact is that not only this Nation by every nation is so obsessed with this obsession that it is the as­

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I hope no Senator will vote for ratification of this treaty on the mistaken belief that it is a guarantee that bomb tests will now cease for all times. The truth is that in voting for ratification of this treaty we are signing the death warrant of our defense. We would not ask them to accept the health risks of indiscriminate and uncontrolled nuclear testing if all he had was a personal surmise that the risks of military attack would increase, if all he had were vague personal doubts and hesitations in the face of a new course. To ask them to accept the health risks he would have to find in the total record specifics for concluding that the risks of military attack would be significantly increased by our adherence to this treaty. He would have to find, in specifics, affirmative answers to these questions:

First, Is there some nation, other than the Soviet Union—Communist China, for example—which, by not adhering to this treaty, is likely to develop a nuclear technology which will approximate ours in the near future? Or in the more distant future which could close the nuclear gap solely because it tested and we did not? The answer is "No."

Second, Is the Soviet Union, then, is the one nation which poses a nuclear threat to the United States in the next decade or more, has that nation already achieved a nuclear superiority, one which no amount of military balance, over the United States in the military technology derived from nuclear physics—the kind of advantage which the gap permitted the continuance of aboveground tests on our side even though they also continued to improve their techniques through such testing on their side? The answer, insofar as it is possible to answer the question, on the basis of fact, knowledge and the overwhelming judgment of the most highly skilled and qualified witnesses in the Nation is "No."

Third, Is there any reason to assume that our advances in nuclear science and its application to military technology will be hampered to a greater degree than that of the Soviet Union, In the complete absence of atmospheric and marine tests on both sides? The answer is "No."

Fourth. By the terms of this treaty, the Soviet Union will be legally authorized to do anything which we are not also legally authorized to do? The answer is "No."

Fifth. By the terms of this treaty are we legally forbidden to do anything which the Soviet Union is not legally forbidden to do? The answer is "No."

Sixth. Is there any other than the most remote possibility that the Soviet Union could engage in prohibited but significant tests without detection? The answer is "No."

Seventh. If the Soviet Union were to engage in a clandestine test and if it were identified or if we had very good reason to believe that such a test had occurred, would we ourselves still be bound to forego a resumption in testing above ground? The answer is "No."

Eighth. Is there a significant possibility that a single Soviet test suddenly sprung upon us could so alter the balance of military forces between the two nations as to increase the risk of military attack upon us. The answer is "No."

In short, the answer to every specific doubt which involves the possibility of the Soviet Union or any nation gaining some unique or significant military advantage as against ourselves in this treaty is not "Yes" but "No." And because it is no, I cannot in good conscience ask any citizen of Montana to accept the heightened risks to the health of their families which will be inevitable from the absence of the ratification of this treaty by the United States.

If there are not specific grounds of unique disadvantage to the military defense of the Nation for rejecting this treaty, what other grounds can there be? One detects in the few articulate opponents of this treaty a consistent theme which suggests a basis for the remaining doubts and hesitations. It is, apparently, the belief that our scientific-military complex is so superior to that of the other nations as to make it inevitable that the Nation will be free to seek a similar breakthrough so as to widen, once and for all, the gap as between ourselves and the Soviet Union. That the Soviet Union, in the absence of a testing limitation, will also be free to seek a similar breakthrough is either overlooked or regarded of little consequence by those who concern themselves with health in the continuing process of uncontrolled testing by both sides, of course, is either overlooked or regarded as of little consequence.

Mr. President, I have the highest respect for our nuclear physics, our industrial technology, our military leadership, and our capacity to merge them into a powerful complex for the purpose of the Nation's defense. This complex is second to none in the world. But admiration and respect for these capacities do not and must never compel the elected officials of this Nation to accept the dictum of this complex as to what is best for the people of the United States.

The fact is that this treaty will introduce no curbs upon the creativity and dynamism of the complex which are not already in the Soviet Union and elsewhere in the world. That men of scientific genius or highly developed technological specialization may find such curbs irksome or burdensome is understandable. But there is too much at stake here, for the Nation and for the world, for the Senate to be persuaded by individual considerations of that kind.

Indeed, reason and experience must lead us to question most seriously the course of policy which flows from such considerations. It is the course which assumes that if we will only continue to do a few restricted testing, if we will only continue to throw considerately our public health to the winds, our scientists and our technicians will create that defense of the United States which will be inevitable from the absence of the ratification of this treaty by the United States.

Have we not in reality followed precisely such a course since the first atomic
bombs in the New Mexico Flats and over Hiroshima and Nagasaki? What restraints, indeed, what reins have been placed on the full exploration of this immense power of nuclear destruction in all these years? Not those of money, to be sure. Not those of a ban on testing, to be sure. Through all these years since World War II there has been no treaty to bar nuclear tests of any kind. We have tested again and again. The Russians have done the same.

What has happened, Mr. President? We began in 1945 with the atomic bomb, with what we believed was the decisive gap, the ultimate gap. By 1949, 4 years later, the Russians began to close that gap with their first atomic test. In 1952, we opened what we believed was the decisive gap, the ultimate gap, with the first explosion of the immensely more powerful hydrogen bomb. And by 1953, 9 months later, that gap too began to close in a Soviet test of a similar type of weapon.

So we must ask ourselves, Mr. President: What has happened in all these years? What is to happen? The Senate will vote for this treaty, and he will hope for its strengthening by subsequent acts of reason on all sides. He will vote for approval of the treaty. He will vote for it, on clear balance, in the interests of the people of his State and the United States. He will vote for it because it is a testament to the possibility of reason. He will vote for it because it is an affirmation of human life itself.

Mr. President, that the record may be complete, I ask unanimous consent that two previous statements which I have made in connection with the treaty be included at this point in the Record. There being no objection, the statements were ordered to be printed in the Record, as follows:

[From the Congressional Record, July 29, 1963]

Mr. MANSFIELD. Mr. President, at the present time the Committee on Foreign Relations, the Committees, the Joint Committee on Atomic Energy are meeting, in informal session, to hear a brief presentation on the proposed partial test ban treaty by the Under Secretary of State, the Honorable Averell Harriman, who is accompanied by Mr. Wills. The questions being asked and answered at the meeting are both searching and blunt, judging from what I can gather; and I am sure everyone would agree that the proposed agreement was properly arrived at and could be considered an open agreement.

In response to questions, the distinguished Under Secretary of State, Mr. Harriman, stated that there were no gimmicks or side issues attached to the proposal, which shortly will be before the Senate.

In connection with the proposed partial nuclear test ban treaty, Mr. President, to witness this effort to fan the flames of parsimony is to be an exercise that political parsimony may be motivating the distinguished minority leader [Mr. DIKES] and the chairman of the Republican policy committee, the ranking minority member of the Foreign Relations Committee and the Joint Atomic Energy Committee [Mr. HICKENLOOPER] in their attitudes toward the nuclear test treaty.

The most disturbing, Mr. President, to witness this effort to fan the flames of parsimony is to be an exercise that political parsimony may be motivating the distinguished minority leader [Mr. DIKES] and the chairman of the Republican policy committee, the ranking minority member of the Foreign Relations Committee and the Joint Atomic Energy Committee [Mr. HICKENLOOPER] in their attitudes toward the nuclear test treaty.

It is to be hoped that the Senate, Mr. President, to witness this effort to fan the flames of parsimony is to be an exercise that political parsimony may be motivating the distinguished minority leader [Mr. DIKES] and the chairman of the Republican policy committee, the ranking minority member of the Foreign Relations Committee and the Joint Atomic Energy Committee [Mr. HICKENLOOPER] in their attitudes toward the nuclear test treaty.
can policy through several administrations—administrations of both parties. This is entirely in order. It is their responsibility as Senators—not as Republicans—in positions of great responsibility to be ever vigilant and careful in the consideration of this proposed treaty. And may I say that the same applies to the members of the rest of the bipartisan group on this side of the aisle.

The Senate has been, indeed, inapropriate at this time for the Senate from Illinois, no less than the Senate from Montana, to have gone to Moscow for the ceremony of signing the treaty.

There is a great backlog of legislation in process at this time. At this time, important legislation to the Nation in many fields; and both the minority leader and the majority leader must the Senate to try, may have been trying, to bring this legislation to the point of decision in the Senate.

This bipartisan group, Mr. President, of the bipartisan group will go to Moscow from the Senate—not necessarily to approve, but to represent the Senate to the government of the Soviet Union, to the presidency of the Soviet Union, to the people of the Soviet Union, to the people of the United States, with the knowledge of the subject matter of the treaty, that the distinguished Senator from Vermont, Mr. Morse, who is chairman of the Select Committee on Foreign Relations, if the Select Committee on Foreign Relations, Mr. Mansfield, is this body, wise with a long experience in the Senate in foreign relations and atomic energy, and the Senator from Massachusetts [Mr. Saltonstall] ranking Republican of the Senate, have appeared before the Select Committee on Foreign Relations Committees—this group of Senators who are going, Mr. President, is admirably equipped to represent the Senate with dignity and wisdom on this highly significant occasion of worldwide significance.

Mr. President, of which I personally am extremely proud, is in keeping with the spirit of bipartisanship which is a principle policy of the United States from the outset on the matter of nuclear testing. In a matter which involves the future of the nation and the health of our people, and particularly our children, there is no room for partisanship. Certainly a greater need exists to provide for those nuclear explosions which are most contaminative of our environment. It is a matter of the utmost importance to the health of our country and the world as a whole. Certainly, too, this proposed treaty has implications for the safety of the Nation.

Mr. President, the Senate's action with regard to the treaty. But the records of the distinguished minority leader [Mr. Dirksen], and of the Senator from Iowa [Mr. Hickenlooper] in matters of this kind, as I have noted, offer great assurance that the question of the treaty will be examined in terms of the highest national interest and free of partisanship.

Moreover, Mr. President, both parties in the campaign of 1960 adopted positions clearly in line with what has now been achieved in the initiated treaty to end nuclear testing. I must say, in all honesty, that the Republican platform is clearer on this point than the Democratic platform. But I am sure that this is primarily a matter of draftsmanship, and is not indicative in any way of a lesser desire on the part of Democrats to bring about an end to these dangerous tests. Democrats, who are as just as concerned as Republicans and equally deeply concerned for the health of the Nation are at stake.

In any event, Mr. President, I read into the Record at this point the reference to nuclear testing in the Republican and Democratic platforms of 1960.

The Democratic platform, 1960, section II, under the heading "Arms Control," states: "A primary task is to develop responsible proposals that will help break the deadlock on arms control.

Such proposals should include means for ending nuclear tests, for establishing effective safeguards, cutting back nuclear weapons, reducing conventional forces, pressuring outer space for prevent attack, and limiting the risk of accidental war.

The Republican platform, 1960, under the heading "Foreign Policy," states: "We are for similarly ready to negotiate and to institute realistic methods and safeguards for disarmament and for the suspension of nuclear testing. As a nuclear-power, the United States should be, not necessarily to approve, but to attend to treaty ratification. The Senators not necessarily to approve, but to represent the Senate for the signing that the test ban treaty. And Senator for the signing of the test ban treaty.

Of the 100 Members of the Senate, I do not believe there is anyone who dislikes the thought of a test ban treaty as I do. But when the President of the United States asked me to take the trip in the interest of the United States, I did say that I was entirely right to fold my hands and tell him that I did not want to go, and that I am not going. In view of that trip if he were invited to be the test ban treaty, immediately and early success or not.

Mr. President, as one Member of this body who was asked to go to Moscow I cannot say that I have not been asked to commit myself in any way. I understand that no Member of the Senate will be asked to sign the treaty. I agree that Congress should examine every line of the legislation in the treaty. May I say that many Members of the Congress were shown the treaty 10 days ago—a week ago last Monday. I have examined it closely. I have read and I read it from end to end and from the middle toward both ends. I know that the treaty had the opportunity that I have had.

I do not believe it is a proper function of the legislative branch of Government to write treaties. It is our function to approve or disapprove treaties. It is the proper function of the executive branch of the Government to write treaties.

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