

large opportunity. It would be difficult to imagine a better speech at this time in the affairs of nations.

The President spoke to his own people, to all resisting Communist aggression, and to the new Russian leaders.

#### ULTIMATE DEMANDS

There was not one iota of bluster, of sword-rattling, or of insult to the Communists. There was not a trace of compromise with less than an absolutely secure and just peace.

His words were conceived in such apparent dedication to man's welfare and compassion for the tragic world of man's own making that there is no room for quibble with his vision. His is the largest view. And he demanded that in every case the Communists perform the ultimate in deeds dependent upon good faith.

Mr. Eisenhower said we hope for a united Korea founded on free elections, a united Germany founded on free elections, a withdrawal of Communist guerrillas in Indochina and Malaya, and for the return by Russia of World War II prisoners.

#### DIPLOMATIC BRILLIANCE

Much is said of the importance of "diplomatic initiative." The Eisenhower speech is a stunning lesson in diplomatic initiative. It is now all up to the Russians to perform. Any words they speak without performance will ring with the ridiculous. And Mr. Eisenhower spoke with a tact that is new in United States addresses to the Russian bosses. In every way he held the door open for concrete action.

He made no bargain with principles. The only bargain he offered was the bargain of disarmament. After the world has agreed upon a foolproof system of disarmament, the President said, the United States is ready to contribute generously to a world reconstruction fund to fight the battle, not against man, but against human want and misery.

No President has yet outlined the responsibilities facing the American people and all peoples with such large vision, or with such firm beliefs that these goals are within our power to achieve.

#### Rent Control

#### EXTENSION OF REMARKS

OF

**HON. PAUL B. DAGUE**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 21, 1953

Mr. DAGUE. Mr. Speaker, under leave to extend my remarks in the Appendix of the RECORD, I am pleased to include a letter which has just come to me from one of my valued constituents who has made a survey of the rent situation in my hometown. Downingtown, Pa., was one of the municipalities in my congressional district which permitted rent control to lapse last September. Those who protested such action claimed that rents would skyrocket, but the information now at hand indicates that the average increase was only approximately \$3 per month, or percentage-wise an increase of 11 percent. These facts, I think, completely explode the theory that the removal of rent controls will precipitate mass eviction or the gouging

of tenants by their landlords. My correspondent's letter is as follows:

DOWNINGTOWN, PA., April 14, 1953.

HON. PAUL B. DAGUE,

House Office Building,

Washington, D. C.

DEAR PAUL: Since Downingtown is the largest town in the county which was freed from rent controls on September 30, I thought it would be interesting to make a survey to see what the increase would be.

In conducting this survey, I have rents covering 106 houses and apartments in Downingtown. The lowest rent is \$12 per month and the highest is \$90 per month. The total monthly rents collected as of September 30, 1952, were \$3,226.25 and as of March 31, 1953, 6 months after controls ceased, the total monthly rents were \$3,582.15 or a percentage increase of 11 percent. You will also notice that the average rental was approximately \$30 per month and that the average increase in dollars was only approximately \$3. This survey certainly shows there was no mass eviction or gouging by landlords as was predicted by the proponents of continued rent control.

I am hoping that since rents are the only thing that are still controlled that these will be permitted to find their own level as they have done here in Downingtown.

Sincerely,

EVERETT J. HOOPER.

#### Dangers of Treaty Law, or the Greatest Threat to American Freedom

#### EXTENSION OF REMARKS

OF

**HON. FRED E. BUSBEY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 1953

Mr. BUSBEY. Mr. Speaker, it was my privilege and honor to be the guest of the 62d Continental Congress of the Daughters of the American Revolution on Tuesday, April 21, 1953, at its meeting which was designated as National Defense Night.

Under permission previously granted me, I am indeed proud and happy to insert in the CONGRESSIONAL RECORD the address of welcome delivered by one of the finest, most patriotic and Christian statesmen who have served in the United States Senate, the Honorable JOHN W. BRICKER, of Ohio; together with the speech entitled, "Dangers of Treaty Law, or the Greatest Threat to American Freedom," which was delivered by Mr. Frank E. Holman, past president of the American Bar Association.

Every God-fearing patriotic citizen of our beloved country should have knowledge of and appreciate the wonderful work Mr. Holman has been doing, at a great personal sacrifice, to arouse the American people to the dangers of treaty law to the sovereignty of the United States.

Mr. Speaker, the least that those of us who believe in this crusade so ably led by Mr. Frank Holman can do is to give him our continuous support in his efforts to awaken every individual and organization to the dangers of treaty-making powers which could jeopardize the fundamental rights to freedom of all segments of our population.

The above-mentioned follows:

STATEMENT OF SENATOR JOHN W. BRICKER TO THE 62d CONTINENTAL CONGRESS OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

It is a very great honor to be given the opportunity to deliver the message of greeting to this convention of one of America's most respected patriotic societies.

You are meeting here in Washington with a new administration in power. You have not had that experience for more than 20 years. It is only natural, therefore, that you should seek tangible evidence of the changes in government promised during the campaign last year.

There are some who assert there has been little change. This view, I submit, is a dangerous over-simplification. If, during the course of your deliberations in this 62d Continental Congress, you will probe beneath the surface of our vast bureaucracy, I think you will find momentous changes in the making. To render an accurate report to your State and local chapters, you must understand why the visible evidence of change is so slight. For purposes of illustration, I shall refer to the administration's position in regard to our proposed constitutional amendment to safeguard the exercise of the treaty-making power sponsored by 64 Democrats and Republicans.

First, mistakes have been made. They will continue to be made until a back-log of understanding and experience is developed. The most serious mistake, in my judgment, is the administration's belief that an unlimited treaty-making power is essential to the conduct of the Nation's foreign policy. When such power proves unnecessary in practice, the desire to retain it should disappear. After all, if Mr. Dulles can vividly describe the dangers of the treaty power as a private citizen in 1952 and then minimize those same dangers as Secretary of State in 1953, who can say that he will not switch back to his original position in 1954?

Second, many of the policymaking positions in the Executive branch are filled by hold-over personnel. This situation could not be corrected overnight without bringing vital governmental operations to a complete standstill. Changes in the State Department may be reflected ultimately in a more enlightened view concerning the treaty power.

Third, it is characteristic of every incoming administration to believe for a time that it has a mandate from all the American people. As a consequence, we find in the early days of each new administration an effort to please all the people all the time. The suggestion that a bipartisan commission be created to study the treaty-making power is one indication of this attitude. Every new administration eventually realizes, however, that its mandate comes from a majority of the voting population and that it is political suicide to ignore the strong convictions of that majority in an effort to win the favor of a small segment of the opposition. Since the voting groups which supported the administration in the last election favor by an overwhelming majority the adoption of a treaty control amendment, I am confident the administration will eventually be responsive to their views.

Fundamental principles in regard to the nature of government cannot be compromised. The proposed amendment to limit the treaty-making power is such an issue. If the treaty-making power remains unlimited, we live under a Constitution of unlimited powers. It will be too late to proclaim our inalienable rights once they have been alienated by an exercise of the treaty power never intended by the Founding Fathers.

We have an administration dedicated, I believe, not to imposing its will on the people but anxious to effectuate their wishes. Already, the new administration has heeded the voice of the people by announcing a

radically different treaty policy from that pursued in the past. Secretary of State Dulles has declared that the United States will not sign the United Nations draft Covenants on Human Rights. In addition, he has announced that the treaty-making power will not be used to achieve "internal social reforms" or to regulate what are "essentially matters of domestic concern." This is precisely the treaty-making policy which your great organization has long advocated.

Whatever criticism you may care to express concerning the administration's opposition to Senate Joint Resolution 1, it should be tempered with the realization that this administration has reversed a very dangerous treaty policy.

My pleasure in welcoming you to Washington is enhanced by the fact that I shall be able to hear your principal speaker of the evening, Mr. Frank E. Holman. As I have pointed out many times, my own realization of the dangers of treaty law stemmed directly from the articles written by Frank Holman for the American Bar Association Journal. Since that time leaders of the American Bar Association and I have worked independently in trying to write an appropriate text for a constitutional amendment. With the passage of time, our ideas have tended to merge in a common text. I am confident that the Senate Judiciary Committee will report a text which the Daughters of the American Revolution, the American Bar Association, the 63 sponsors and I can give whole-hearted support.

I could not extend a more appropriate message of greeting to your 62d Continental Congress than to recommend as a model for your public affairs activities Frank Holman's great crusade for a treaty clause amendment.

It proves the value of anticipatory action. Too often a threatened danger seems so remote that the people are not alerted in time. He has proved what one determined individual can do when he concentrates on essential goals and refuses to waste time on low-priority targets.

Frank Holman has proved the value of painstaking research, and of a long and carefully prepared campaign of education. It is almost criminal the way so many worthy causes are hurt because their supporters are intemperate or ill-informed.

We must not hesitate to give generously of our time and money to see that the American people secure permanent protection against abuse of the treaty power. The Bill of Rights must be extended to treaties and the Constitution must be preserved against unlimited treaty power.

The one indispensable requirement for such service as Frank Holman and the American Bar Association have rendered is a patriotic love of America and its form of government. That you have in ample measure. You need only to act on the inspiration of that love. If we preserve the inalienable rights of our people in the spiritual realm and never permit their transfer to the temporal power of government, either our own or any international power, our country will fulfill its great destiny in preserving the liberties of mankind and man's God-given right to govern himself.

#### DANGERS OF TREATY LAW, OR THE GREATEST THREAT TO AMERICAN FREEDOM

(By Frank E. Holman)

I am glad to be here and to have the opportunity of addressing you and your great patriotic organization on this, your National Defense Night. It was almost exactly a year ago that I had the honor and the privilege of speaking at the annual dinner of the Sons of the American Revolution in Houston, Texas. My theme is much the same tonight as it was a year ago though I approach it under a different title and bring the subject matter up to date. In fact, my theme and

purpose for the last four years has been, in one form or another, designed to alert the American people to the dangers of what has been called treaty law.

As we meet here tonight America faces many perils and many threats. It is no mere matter of emotion or rhetoric to say that our individual freedoms and our form of government are challenged as never before, and on many fronts. Some would doubtless say that communism is the greatest threat to American freedom. Certainly we have tolerated the high priests of this subversive and atheistic ideology in many places—in our schools and in our colleges, in the professions and in business, and in the policy echelons of the Federal Government and in the United Nations.

Americans are characteristically a kindly people and hence a tolerant people. But you cannot successfully fight a militant, anti-American ideology with tolerance and kindness. America during the last few years has almost been crucified on a cross of tolerance and appeasement. This policy of tolerance and appeasement has produced for us many disastrous Yalta and Potsdam and will produce many more unless we recognize that in basic matters tolerance is not a virtue but only a snare and a delusion.

I have frequently been criticized by World Federalists and others as being intolerant of the point of view of world-minded enthusiasts. It is a favorite technique on the part of the Communists, fellow travelers, one-worlders, and others to try to get one to admit that there are two sides to every question, and often in a spirit of tolerance most Americans feel they must admit there are two sides to every question. But I remind you there are certain basic issues in life where one should refuse to tolerate the opposite point of view. For the American at least, there are not two sides to certain basic questions.

For example, are there two sides to the proposition, "Thou shalt not steal"—or "Thou shalt not bear false witness against thy neighbor"—or "Thou shalt not commit adultery"? No more are there two sides to the proposition thou shalt not undermine the Constitution of the United States or thou shalt not undermine and destroy the American form of government or the loyalty of our citizens to the American concept of government. On such questions, if I may use a seeming paradox, tolerance is not to be tolerated.

We have not only tolerated Communists and fellow travelers in high places but we have tolerated inefficiency and corruption involving both personal and public dishonesty. A facet of this dishonesty has been the resort to double talk and half truths on the part of our public officials. Some, therefore, may well say that dishonesty and corruption, double talk and inefficiency in Government are the greatest threats to the Republic. On the other hand, some will say that inflation and the dishonest dollar is the greatest threat. Belatedly we have come to recognize these perils of communism, dishonesty in its various forms, inefficiency and even inflation, and are beginning to meet them head on instead of casually tolerating them. Where perils are recognized for what they are and are brought out into the open and are being realistically and understandingly combatted the danger from them is less great than where a peril is not yet fully recognized by the high officers of government and by the press and by the American people. This I am afraid is still true of the dangers of "treaty law."

The distinguished Secretary of State, Mr. John Foster Dulles, in his recent appearance before the Senate Judiciary Committee, announced a switch in the Government's foreign policy which occasioned a lifting of eyebrows in many quarters. Mr. Dulles stated among other things that the present ad-

ministration does not intend to become a party to any Covenant on Human Rights or present it (the covenant) as a treaty for the consideration of the Senate. He also said: "This administration does not intend to sign the Covenant on Political Rights of Women." Mr. Dulles also indicated that the present administration would not press for the ratification of the Genocide Convention.

Prior to his appearance before the Judiciary Committee, at 11 a. m. on April 6, 1953, Mr. Dulles had been an ardent supporter of the United Nations and its efforts in the field of so-called human rights. He was particularly sure that the Genocide Convention was a great humanitarian document and should be ratified. He had so far supported the Genocide Convention as to publicly chide and upbraid the American Bar Association in September 1949 for opposing the ratification of that treaty. He gave a public interview at that time so intemperately criticizing the American Bar Association that on September 23, 1949, as president of that association I felt compelled to send him a wire pointing out that he had not given lawyer-like consideration to the matter. He was not alone in this. I received wires from other prominent New York City lawyers protesting against the action of the American Bar Association in opposing the Genocide Convention. I had great pressure brought on me at the time as president of the American Bar Association—even a direct emissary from President Truman. Now the truth is, in my opinion, that none of these gentlemen had sufficiently studied the Genocide Convention and its impact on American rights to understand its meaning and implications. This was also true of the provisions of the proposed Covenant on Human Rights and the proposed Convention on Freedom of Information—all of which "treaty proposals" have now been abandoned by the State Department—at least temporarily.

The Convention on Freedom of Information was abandoned late in the Acheson administration. Now, why have they been abandoned? Because their former ardent supporters have at last adequately studied them? Or have they been abandoned because great patriotic organizations like the Daughters of the American Revolution, and the American Legion, and the American Bar Association, and many others throughout the country have so exposed these and other treaty proposals that as a strategic retreat to try to defeat the great national movement for a constitutional amendment these former ardent supporters of the whole United Nations treaty program now say they do not intend to press for ratification by the United States of certain of these treaty proposals. I am publishing a fully documented pamphlet, which will be off the press in about 10 days, more fully dealing with this recent switch of strategy in State Department policy.

That the switch has been recent or hurried is indicated by the following fact:

As late as December 29, 1952, in order not to misquote his views in a public address I was to make on January 29, 1953, I wired and wrote Mr. Dulles to ascertain whether he had changed his position on the Genocide Convention, and in view of his strong statement at Louisville on the dangers of "treaty law," to get an expression of his attitude on the need for a constitutional amendment. To date I have received no answer thereto, except for a gracious acknowledgment by one of his secretaries in the Commodore Hotel, New York City.

Therefore, it would seem clear that the distinguished Secretary of State must have made his switch regarding ratification of the Genocide Convention some time shortly prior to his appearance before the Senate Judiciary Committee on April 6, 1953. Otherwise it would only be natural and courteous for him to have answered my letter.



Now in this same connection I want to say a few words about that portion of the press and those commentators (press and radio) that are still opposing a constitutional amendment to protect American rights against the dangers of "treaty law." I do not know how this portion of the press and commentators similarly minded feel about Mr. Dulles' abandonment of Genocide and the Covenant on Human Rights, but some, largely led by the Washington Post, the New York Times, and my friend and fellow Rhodes scholar, Elmer Davis, have been greatly troubled in mind and spirit—but this much can be proved by the record, that except for the studies of the American Bar Association, the proposed Convention on Freedom of Information and the provisions in the Covenant imposing drastic and un-American restrictions on freedom of press and freedom of speech would have destroyed free speech and a free press as we know them and enjoy them in America under the first provision of our own Bill of Rights. The record shows that the portions of the press and those commentators above referred to were all ardent supporters of the Convention on Freedom of Information and the Covenant on Human Rights. One is tempted to say, in the language of Edgar Bergen, "You Mortimers of the press and radio, how can you be so stupid?"

Under such treaties and the proposed International Criminal Court, newspapermen, radio speakers, and others could be tried for criticizing Peron and Tito, or even Malenkov, if it was charged that the criticism "aggravated" our international relations and this fact would be exclusively determined by the international court.

Prominent newspapermen participated in urging the Convention on Freedom of Information—there are many I could name. Many other newspapermen were merely apathetic and took little interest in what was being proposed in these international proposals to curb freedom of press. The American press should be forever thankful to the American Bar Association in this matter. This also applies to radio speakers and commentators. Examine the report of the Hutchins commission on the freedom of the press, which was received with approval by a number of newspapermen of the country who are now opposing the constitutional amendment, and see what was proposed there with respect to these so-called appropriate curbs and limitations on freedom of the press. They are very similar to the curbs and limitations in totalitarian countries.

Although Mr. Dulles now abandons ratification of the Genocide Convention and ratification of a Human Rights Covenant, he says nothing whatever about abandoning the proposed Convention for the Establishment of an International Criminal Court for the trial of American citizens in time of peace for alleged offenses committed in the United States, and by an international court made up largely, if not entirely, of foreigners—in which an American citizen could be tried in a foreign country without right of trial by jury, presumption of innocence, or the other important constitutional safeguards that are afforded Americans when tried in their own courts.

One of the so-called international crimes for which it is proposed to try an American in such a court is that of unfairly criticizing the personalities or policies of a foreign government, where it is charged that such criticism is unfair and disruptive of cordial international relations. This could, of course, easily mean that speakers and writers and editors of newspapers in this country could be imprisoned, as Mr. Oatis is now imprisoned in Czechoslovakia for criticizing the status quo there. The proposal is to extradite Americans from America for some such so-called international offenses alleged to be committed in this country, and to try them in a foreign country. Can anyone imagine a

more brazen and flagrant treaty proposal for violating our constitutional rights of freedom of speech and of press?

Mr. Dulles says nothing about the present administration abandoning the proposed Convention on the Gathering and International Transmission of News and Right of Correction, which would also place restrictions and obligations on freedom of speech and freedom of press, and subject American citizens to trial for so-called international crimes in the proposed international court. The former administration indicated it did not favor this convention in its present form.

Mr. Dulles also says nothing about the present administration abandoning the proposed treaty with Israel recently transmitted to the Senate of the United States. This treaty provides that the nationals of either country shall not be barred from practicing their professions in the other country by reason of being aliens. Under the "most favored nation clause" included in many existing treaties to which the United States is a party, such a provision in the Israel Treaty would be automatically applicable to the nationals of a very large number of other countries. One of the fundamental salutary characteristics of the legal profession in this country is that a lawyer is an officer of the court and generally must take an oath to support and defend the Constitution of the United States. No alien would be in a position to take such an oath and comply with it.

Mr. Dulles says nothing about abandoning the official State Department declaration announced by its official bulletin in September 1950, that "there is now no real difference between domestic and foreign affairs"—under which declaration or doctrine all our domestic rights and freedoms and laws become the subject of international negotiations and, hence, the subject of treaties under which our rights and freedom can be modified or bartered away for some so-called international purpose, as each and every administration may think it necessary for global defense or world peace. I am devoting some attention in my pamphlet soon to come off the press to this great fallacy that American domestic rights and freedoms must be modified or bartered away under the delusion that somehow world peace may thereby be achieved.

Edmund Burke once pointed out, "The people never give up their liberty but under some delusion."

One great delusion for the moment is that many Americans seem to think we can save the world and achieve world peace by giving up American rights and American independence.

Mr. Dulles says nothing about abandoning some 200 other treaties being spawned in the United Nations, or by the numerous ILO (International Labor Organization) treaties, that would affect many basic rights of American citizens and change the relationship, as fixed by our Constitution, between the States and the Federal Government. Under the present constitutional situation as announced by Mr. Dulles in his Louisville speech last year, all these various treaties—and any others that may be thought up by the eager internationalists—affecting our civil, social, and economic rights, could become the supreme law of the land; in fact, Mr. Dulles says, "more supreme than ordinary laws."

Generally Mr. Dulles admitted, in his statement before the Judiciary Committee of the Senate, that all these various proposals in the United Nations occasioned a legitimate concern on the part of the citizens of this country because, as he frankly stated, they may impose upon our citizens conceptions regarding human rights alien to our traditional concept. But now the distinguished Secretary opposes any constitutional amendment for the protection of the citizens of this country and for the protection of the basic concepts of the Republic,

and instead he asks that the Senate Judiciary Committee and the Senate and the Congress of the United States and the citizens of this country accept his assurance that, at least in certain of these matters, the present administration will not make treaties. He asks that we accept this personal assurance in the face of his public and solemn declaration, as a constitutional lawyer, made before a regional meeting of the American Bar Association at Louisville, Ky., on April 12, 1952, as follows:

"The treaty-making power is an extraordinary power liable to abuse. Treaties make international law and also they make domestic law. Under our Constitution treaties become the supreme law of the land. They are, indeed, more supreme than ordinary laws, for congressional laws are invalid if they do not conform to the Constitution, whereas treaty law can override the Constitution. Treaties, for example, can take powers away from the Congress and give them to the President; they can take powers from the State and give them to the Federal Government or to some international body and they can cut across the rights given the people by the constitutional Bill of Rights."

Was there ever in the whole history of America such a specific instance of asking the American people to rely upon a government of men instead of a government of law and appropriate constitutional restraints? Was there ever in the whole history of the legal profession in this country such a strange case of a plea in confession and avoidance?

What the Secretary's "plea" amounts to is that the alert citizens of this country and the more than 90 United States Senators having come into the court of public opinion with a charge that these proposed treaties are dangerous to American rights, the Secretary admits the charge and admits that the concern is "legitimate," and yet, when a constitutional amendment in the nature of a restrainer or permanent injunction to protect American rights is advocated, the Secretary says: "Yes; your concern is legitimate and we admit, in addition, that not only the laws of the country but the Constitution itself can be overridden by treaties; but you should not urge a constitutional amendment to prevent all these manifold dangers of treaty law because the present administration is going to see that you are not hurt by this treaty law, and, as a token of our attitude in this matter, we are going to abandon any further attempt to secure a ratification of the Genocide Convention or the Covenant on Human Rights."

It is Mr. Dulles himself that has made the greatest argument in favor of a constitutional amendment and the necessity of phrasing one that will be adequate and appropriate. Mr. Dulles' Louisville declaration of the omnipotent power now inherent in the treaty-making process will become the easy basis, platform, and springboard for the so-called man-on-horseback to legally rule this country by treaties, executive agreements, and executive decrees. Mr. Dulles, more than any other man in the United States, has pointed up the necessity of a constitutional amendment and the necessity for it has now become more important than any other matter engaging the attention of the officers of our Government.

Now in order to fully understand the perils of treaty law and its threat to basic American rights and to the American form of government, and to appreciate the necessity for a constitutional amendment, it is necessary to review briefly the nature of the American form of government as a constitutional republic.

Until the adoption of the United States Constitution, never before in the course of history had any government anywhere been organized on the principle that the people as individuals are endowed by their Creator with certain inalienable rights as to life, liberty, and property, including the right

to local self-government, and on the principle that these rights are inherent in the individual citizen and are not a grant from government. Therefore in history we had frequently heard of the divine right of kings, but never of the divine rights of the people. Governments had accorded freedom to the individual citizens and local self-government to the people only when forced to do so or if the sovereign for the time being felt so inclined. The previous concept of the scope and power of a national government was that it had inherent powers of its own and might grant or withhold rights to the individual citizen as it saw fit. But by our Constitution and by our Bill of Rights only certain specific and limited functions were conferred upon the officials of our National Government. It was to be a government of delegated powers only and the people by the Constitution and Bill of Rights forbade and intended to forbid the Federal Government from doing anything but that authorized by the Constitution and not permitted under the prohibitions of the Bill of Rights.

Many of the high officers of government and some of the press in this country and certain columnists and radio speakers completely ignore the basic fact that the Government of the United States is and was intended to be a government of law and of constitutional restraints and not a government of man.

We know that even the framers of the Constitution were in disagreement on certain points both of substance and of language in connection with the treaty clause and that compromise was resorted to in order to get an instrument of constitutional government completed and adopted. It was recognized that the supremacy doctrine of article VI might require amendment (A. G. A. J. September 1951). Article VI, as you know, contains the broad provision that " . . . all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."

Thus, under our present Constitution, a ratified treaty, if self-executing, becomes law in this country without any action by the Congress or any legislation whatever. In this respect we are unlike any other important country in the world. One of the things the proposed constitutional amendment is designed to do is to put the United States on a parity with other nations so that treaties will not make domestic laws for the citizens of this country until implemented by valid legislation. This is a purpose of the amendment in addition to the making of treaties ineffective and invalid insofar as they conflict with any provision of the Constitution.

In the early years of the Republic and practically until the organization of the United Nations the treaty supremacy doctrine of our Constitution whereby treaties are law without any act of Congress posed no great threat to American rights and the American form of government because treaties were confined to their traditional purposes and were used for such matters as the settlement of some specific dispute between nations or to make alliances or to deal with commercial and trade relations. Furthermore they were negotiated and also drafted by experts who understood the law and language of treaty-making and who were appointed for the negotiation of a particular treaty between nations, actually involving some particular dispute or a particular matter requiring settlement. Now under the broad grant of power to the Economic and Social Council under the Charter of the United Nations, the Economic and Social Council, whose members have highly diverse concepts of law and government as well as of economics, can propose practically any kind of a treaty—worldwide as to scope and as to

parties and all-comprehensive as to subject matters. The Council or its commissions may sit continuously and think up new proposals in the form of declarations, treaties, and pacts as to anything in the world and as to all nations everywhere touching the internal affairs of all nations as to any economic, social, humanitarian, educational, cultural, or health matter. The power of the Economic and Social Council rests on the grandiose theory that world peace may be achieved if somehow economic and social conditions are by treaties put on an expressed equality throughout the world, even though to do so may bring the more advanced nations down to the level of the backward nations in rights, in legal concepts, and in form of government as well as in economics and in other internal affairs. Under this grandiose grant of power to this particular agency of the United Nations, "the humanitarians" in the Economic and Social Council immediately went to work not to achieve peace but to reform and to remake the world by trying to tell each and every nation how to conduct its own internal affairs and by putting us all in the straitjacket of international socialism.

One of the first documents produced under this program of worldwide reform was the so-called Declaration of Human Rights, approved by the United Nations Assembly in Paris in December 1948. This declaration in many respects is a paraphrase of the Russian Constitution, and, among other things, is a complete blueprint for socializing the world, including the United States. The state is to guarantee everything. Article 22 provides that everyone has the "right to social security"; article 23—that everyone has the right to "just and favorable conditions of work and to protection against unemployment" and that everyone has the right to "just and favorable remuneration." Article 24 provides that everyone has the "right to rest and leisure, and periodic holidays with pay." Article 25 provides that everyone has "the right to food, clothing, housing, and medical care and necessary social services and the right to security in the event of unemployment, sickness, disability, widowhood, old age" without any provision that he shall work for it or help establish a fund to pay for it. Put these, or similar pronouncements in treaty form, ratified only by "two-thirds of the Members of the Senate present and voting," and you have a few pages of treaty language transforming the Government of the United States from a Republic into a completely socialistic state.

In this socialistic utopia of the Government taking care of everything and everybody, I wonder if any of the enthusiastic drafters or supporters of the declaration ever read the Apostle Paul's Second Epistle to the Thessalonians (II Thes. 3: 10, 11, and 12). Paul, writing to the Thessalonians, said:

"If anyone will not work let him not eat. For we hear that some of you are living in idleness, mere busybodies, not doing any work."

"Now such persons, we command and exhort in the Lord Jesus Christ to do their work in quietness and to earn their own living."

The declaration contains a goodly number of other provisions adversely affecting our system and concept of a constitutional government and also affecting our own internal affairs. For example, our Federal Constitution provides that nobody shall be elected to the office of President or Vice President except a natural-born citizen of the United States. The Declaration of Human Rights (Art. 21, sec. 2) provides "Everyone has the right to equal access to public service in this country." This would make Harry Bridges or any other naturalized citizen eligible to the office of President or Vice President.

Again, our Constitution vests full power in Congress to control immigration, but by ar-

ticle 14, section 1, of the Declaration of Human Rights, "Everyone has the right to seek and to enjoy in other countries asylum from persecution." With this incorporated in a treaty, the right to asylum would be to all nationals of all nations of the world, and what right then would a mere Congress have, by immigration laws or otherwise, to prevent such persons from entering the United States? This could mean that in times of revolution in Cuba or Mexico or India or elsewhere thousands of aliens might legally claim a right of asylum here. In view of the attacks made on the McCarran-Walter immigration bill, there are those in this country even in high places who believe that the United States should be a place of asylum for all displaced persons from everywhere in the world.

Now I understand full well that the declaration has always been advertised as being only a declaration of aspirations and not a legal document. But the State Department (see its brief filed in *Shelley v. Kraemer* (334 U. S. 1, 92 L. ed. 1161)) and some of our courts have already expressed the view that the declaration is an authoritative interpretation of the economic and social provisions of the Charter, which itself has been ratified as a treaty, and in this respect the declaration and the Charter have already had a direct effect on official thinking and particularly on judicial thinking in this country. Witness *Puff v. State* (217 P. 2d 481 (the California alien-land case)), and *Perez v. Lipold* (188 P. 2d 17 (the mixed-marriage case)). Also witness the opinion of the Chief Justice of the United States in the *Steel* case last year, to which fuller reference will soon be made.

Whatever difference of opinion there may be as the alien-land case and the mixed-marriage case, and the steel-seizure case, the sponsors of the declaration, after having sold it to the American people on the basis that it was only a declaration of aspirations, immediately began implementing all its socialistic and other so-called aspirations in a legally binding covenant on human rights.

Mr. Dulles now says that the present State Department does not propose to ask for ratification of a covenant on human rights as a binding treaty. But what about succeeding State Departments? Can we even be sure that the present State Department will not succumb to the enormous pressure of the internationalists in and out of this country to have a treaty or covenant on human rights? However, regardless of Mr. Dulles' disclaimer, I propose to say a few words about the covenant, for according to the United Nations Bulletin of March 1, 1952, it is still the declared purpose of the United Nations to have the Covenant on Human Rights ratified as a treaty and legally enforced through the organization of international courts. The purpose of the internationalists from the beginning has been to move step by step—first, so-called aspirations in the form of a declaration, then ratification of these aspirations in treaty form, then international courts to enforce what was originally said to be only aspirations. Thus our internal rights under our own Constitution and Bill of Rights are to be undermined step by step and will continue to be undermined unless the American people shut off this insidious process by an appropriate constitutional amendment. A mere statement of disclaimer by the present Secretary of State is not the answer.

This step-by-step process of leveling out our fundamental rights concerns such basic Americans rights as freedom of speech and freedom of press and involves many of our other basic freedoms. The present United Nations Draft Covenant on Human Rights contains about 9,000 words. It is a perfect Tower of Babel of words. But in all its 9,000 words there is not one word regarding the basic American right to own property and be secure in its enjoyment.



Yet, the State Department Bulletin of July 7, 1952 (the Department of State Bulletin, vol. XXVII, No. 680) had the audacity in quoting Mrs. Roosevelt to state that the covenant "as now drafted contains no provisions which depart from the American way of life in the direction of communism, socialism, syndicalism, or statism." Mrs. Roosevelt further stated "when such provisions have been proposed, the United States has opposed them; every proposal by the Soviet Union and its satellites to write 'statism' into the covenant has been defeated . . ."

Apparently Mrs. Roosevelt and the State Department do not recognize that the right to own property is the very basis of the American way of life. Without the right to own property and to be secure in its enjoyment, all our other rights would be of little practical consequence. Perhaps in this connection one might properly quote from a speech once made by Senator Borah, who was himself classed not as a conservative but as a great liberal.

Senator Borah, in speaking about the early attempts to disparage property rights in this country, said:

"And what are these property rights which are guaranteed and made safe by the Constitution? What an inseparable part are they of human rights? Is not the right to acquire, own, and enjoy property a part of human rights? Is there any such thing as personal liberty without it? There is a very large portion of the human family at this time who will tell you that liberty, family, happiness, and contentment were all lost in the selfsame hour that they lost the right to acquire property and to be secure in its enjoyment. The framers were wise enough to know and brave enough to declare that when you have made property rights secure, you have contributed incalculably to human rights and human liberty."

Yet, our State Department and Mrs. Roosevelt try to tell the American people that the right to own property is no serious omission from the covenant, and they have the audacity to say that the covenant in no wise departs from "the American way of life in the direction of communism, socialism, syndicalism, or statism."

But Dr. Charles Malik of Lebanon, the new Chairman of the Commission on Human Rights succeeding Mrs. Roosevelt, is more honest about this matter for within a comparatively short time after Mrs. Roosevelt's statement as issued by the State Department, he stated almost the exact opposite. (See September 1, 1952, United Nations Bulletin, p. 251.) Dr. Malik said:

"I think a study of our proceeding [in the Human Rights Commission] will reveal that the amendments we adopted to the old texts under examination responded for the most part more to Soviet than to Western promptings. For the second year an unsuccessful attempt was made to include an article on the right to own property. . . . The concept of property and its ownership is at the heart of the great ideological conflict of the present day. It was not only the Communist representatives who riddled this concept with questions and doubts but a goodly portion of the non-Communist world had itself succumbed to these doubts. A study of this particular debate will show the extent to which the non-Communist world has been communistically softened and frightened."

It is almost so fantastic as to be beyond belief that our American representatives in the United Nations were so "softened and frightened" as Dr. Malik suggests as to permit a so-called Covenant on Human Rights to be drawn without any provision for a right to own property. Now while the Secretary of State made the statement that there is to be no actual treaty on this strange un-American document, our representative at Geneva, Mrs. Lord, proceeded to continue to take part in the formulation of a Covenant on

Human Rights and to tell the people of the world we favored such a document, but that the United States was sorry that it could not actually ratify the document as a treaty. However, don't forget—it will thus be put in final form for ratification and when some other Secretary of State feels so disposed, it can be offered to the Senate for ratification.

More fantastic than the covenant itself is the action of the Assembly of the United Nations at its closing session last year—voting affirmatively that where a state takes private property for public use, it is not under obligation to pay any compensation therefor. This socialistic or communistic theory of property is but a further development of the general theory of treaties and executive power as expressed in the dissenting opinion in the Steel Seizure case last year. This case is the most outstanding and alarming example of what the effect of treaties can be on our domestic law and upon the thinking of our judges.

Lawyers had generally recognized that because of the peculiar provisions of article VI of our Constitution ratified treaties of the United States are the supreme law of the land—overriding State laws and constitutions and even existing laws of Congress. This of itself constitutes a dangerous threat to American rights which needs correction by an appropriate constitutional amendment. But now the Chief Justice of the United States advances the extraordinary doctrine in his dissent in the Steel Seizure case that the United Nations Charter combined with other international commitments gives the President of the United States authority to seize private property—an authority nowhere granted to the President either by the Constitution or by the laws of the country.

The Chief Justice argued that when the Charter was adopted this country thereby accepted "in full measure its responsibility in the world community" and an obligation "for the suppression of acts of aggression." Consequently, when the United Nations called upon its members "to render every assistance" to repel aggression in Korea the President was thereupon authorized to take every action to render that assistance. The Chief Justice specifically states: "Our treaties represent not merely legal obligations but show congressional recognition that mutual security for the free world is the best security against the threat of aggression on a global scale."

In other words, acting under the Charter, and treaties and agreements supplementary thereto, the President according to the Chief Justice has powers not granted to him by the Constitution, but moreover even denied to him by the Constitution. For, among other things, under section 8 of article I of the Constitution the Congress has the sole power "to declare war" and "to raise and support armies" and "to provide and maintain a navy"; and under the fifth amendment no person is to "be deprived of life, liberty, or property without due process of law; nor is private property to be taken for public use without just compensation."

The Chief Justice succeeded in getting two other members of the Supreme Court to join him in this alarming doctrine of treaties conferring extraordinary powers upon the President. If he had succeeded in getting two additional members of the Supreme Court to side with him, the United States would in effect then and there have ceased to be an independent Republic and we would have been committed and bound by whatever the United Nations does or directs us to do. We would have had a full-fledged world government overnight, and this is exactly what may happen under so-called treaty law unless a constitutional amendment is passed protecting American rights and American law and American independence against the effect of treaties.

Examine this world government proposal for a moment. The wheel of history has

turned completely around. Many present-day Americans entertain strange thoughts and support strange doctrines in the fervor of pursuing their notions for world peace. As chairman of the Atlantic Union Committee, Mr. Owen J. Roberts, former United States Supreme Court Justice, speaking to a conference in Ottawa, Canada, last April 30, said:

"We must decide whether we are to stand on this silly shibboleth, national sovereignty."

We must, continued Mr. Roberts, yield national sovereignty to some "higher authority—call it what you will." In addition to giving this super-government authority to conduct a common defense—which means to put the United States into war anywhere at any time—Mr. Roberts said we must also give it the power to make "such economic adjustments as are necessary to put the people of all the member countries on an equal level." In plain English, Mr. Roberts' second provision means we would give the super-government absolute control of business, industry, prices, wages, and every detail of American social and economic life.

Our forefathers fought a revolution for what Mr. Justice Roberts calls the silly shibboleth of national sovereignty. They fought to become an independent nation; they fought for the right to be governed by laws made by their own elected representatives; they fought not to be taxed by or for the foreign policy of Europe or any other part of the world; they fought to be free from many other grievances not the least of which was the claim of the British Crown to transport them overseas for trial.

If you will turn to the Declaration of Independence you will find a full list of their grievances. But now with the turn of the wheel of history and through the United Nations affiliated organizations our laws are to be made by and through treaties concluded in international conferences where the representatives of other nations have a majority voice in what these treaties shall cover both as to language and content. Hence we are to be governed in our local affairs by laws and concepts agreeable to a majority of the other nations of the world. Moreover, we are taxed to pay the expenses of these new lawmakers for we pay a very large part of the expenses of the United Nations and its various agencies. Under the provisions of the Genocide Convention and the proposed new treaty for an International Criminal Court, our citizens are even to be transported overseas for trial. Make no mistake about it. This and much more is the program of those who would govern us by treaty law.

I want to lift the curtain for you tonight and give you a glimpse of a little-known program in the treaty field that is designed to control many of the most intimate relationships of our private life. It is fantastic and just being brought out into the open. At the recent hearings here in Washington, D. C., last month before the subcommittee of the Senate Judiciary Committee, with respect to the proposal for a constitutional amendment to protect American rights against the dangers of treaty law, Mr. W. L. McGrath, representing the United States Chamber of Commerce and the National Association of Manufacturers at the International Labor Organization (ILO) meetings in Geneva for the past 4 years, testified to some of the provisions for a proposed treaty on motherhood. Needless to say, Mr. McGrath voted against these treaties, but our State Department representatives voted for them. Here are some of the matters incorporated in these treaties and to be made domestic law throughout the world, including the United States.

In the treaty on motherhood, if a mother is unable to furnish her own milk for her baby and has to buy it, the government is to buy it for her. But if the government thus buys cow's milk for one mother, that is not fair to the mother who suckles her own child.

so the government is to pay her for performing this natural act of love and affection. It was proposed that the government furnish layettes to pregnant mothers—the cost thereof is to be paid for out of taxes.

Maternity benefits are to be paid to pregnant working women by the government. It was suggested that under collective bargaining and in proper cases of need these benefits might be taken into account in collective bargaining and be paid by employers, but it was voted that employers should not be allowed to pay any part of such benefits because this might give working women a feeling of too great loyalty toward their employers. In this connection, the representatives from India and Pakistan doubted whether their governments had the funds to make maternity payments for all the working mothers in these countries, since nearly all work in the fields and elsewhere, and these countries wanted an exception in their case to allow employers or landowners through collective bargaining or otherwise to take care of maternity benefits. They were outvoted. Even the United States official representative voted against such an idea of allowing the employer to pay anything for pregnant working mothers because the state should perform all acts of a humane character. This will beget loyalty to the socialist state.

In the matter of maternity benefits there is to be no difference between legitimacy and illegitimacy. All are to be financed by government benefits.

In connection with all the acts to be assumed by Government under the various ILO social and economic treaties, a serious question was raised as to the ability of some governments to take care of so many social and economic obligations. This brought forth the suggestion that in order to carry out the final complete social and economic program of ILO treaties it would be necessary for the United States and other wealthier countries to sponsor a revolving fund of about \$40 billion in order to take care of all the plans which the ILO had in mind. The fact is that the International Labor Organization no longer confines itself to labor relations. It now views itself as a world parliament and has already prepared about 100 treaties covering all phases of the social and economic life of all nations including the intimate affairs of family life. The attempt to influence and control family life, while on its face fantastic and even amusing, is actually an insidious socialist program to undermine the American concept of family and to destroy it, and to make its most intimate details dependent on the state.

How does it come about that individual Americans and the officers of Government, particularly in the State Department, are engaged in giving America away by supporting treaty programs which undermine our family life, our basic rights, and our form of government? Are we the victims of disloyalty? Yes, to some extent, but disloyalty and communism are in many respects only a small part of the answer. If we eliminate all disloyalty and communism the question would still be with us. Why do individual Americans and the officers of Government follow a treaty program of "giving America away"? The answer is to be found in certain facts and attitudes.

First of all, Americans are a kindly people and hence often a gullible people. We just love catch phrases and slogans and do most of our thinking that way. The American people have become victims of slogans and catch phrases.

In the international field we have been victimized by such catch phrases as "Making the world safe for democracy," "one world or none," "freedom loving countries," "the four freedoms," "human rights," and a dozen others.

If you do not think we have been or can be fooled by trick phrases, consider the "four freedoms." This was the greatest catch phrase of all time. It fooled the most people. Some seem still fooled by it. "The four freedoms" were advertised as a great new "charter of liberty" for all the world. But the captive elephant in the zoo has all the four freedoms. He has freedom from want, for he is fed regularly by his keepers; he has freedom from fear, for his natural enemies, the lions and tigers, are in separate cages; he has freedom of speech, for he can trumpet whenever he wishes; he has freedom of belief, for he can think anything he likes. But he lacks the most important freedom of all—the freedom of individual initiative. It is this freedom of initiative and freedom from arbitrary control by government which is the basic freedom of free men and women and the basic freedom for which men and women have fought through the ages. But this basic and essential freedom was not included or mentioned in the so-called four freedoms. We have been giving America away by listening to trick phrases.

In the second place, we have been giving America away by and through the State Department's attitude of compromise and appeasement. The reason the State Department goes along with an international program in the field of basic rights that tends to level out and change our American rights as fired by our Constitution and bill of rights is that the State Department is anxious to cooperate with other nations and have all the other nations think that we are not only glad to help them in a material way with money and goods, but that we are willing to enter into declarations, covenants, and pacts in the field of so-called rights which will help other nations in some measure toward improving their own standards of rights.

Because their standards and concepts in the field of law and social and economic rights are different and mostly lower than ours, the State Department concludes that we cannot presently expect to have the other nations accept our concepts, so compromise becomes necessary for the State Department to get an international agreement in the so-called field of human rights.

One of Mrs. Roosevelt's own advisers once told me very early in the development of this compromise and appeasement policy that since the representatives of most foreign nations know nothing about the American Constitution and Bill of Rights they are not interested in talking about these documents. Thus, for example, for the American representatives in the United Nations to insist upon incorporating the American concept of private property and other fundamental American concepts into these international treaties merely causes irritation in the minds of our foreign friends and there can be no agreement unless we forget or lay aside our own Constitution and Bill of Rights. The result is that in these international negotiations our State Department has over and over again chosen to forget or lay aside our Constitution and Bill of Rights. This is what is called international cooperation.

Thus, in drafting the Declaration on Human Rights and the Covenant on Human Rights and the Genocide Convention and other United Nations documents, many compromises of American concepts were made. Mrs. Roosevelt herself said in connection with the declaration that there were many compromises in it and if she had it to do over again, perhaps she would not have made so many.

One of these so-called compromises is particularly interesting. Our Government is founded on the basic idea that man is endowed by his Creator with certain inalienable rights. There was an attempt made to get into the Declaration some such statement. This was opposed not only by the Russians and the Communist countries, but by certain

socialist countries that we classify as a part of the free world. These opponents said: "Man is not endowed by the Creator with anything. He only gets the kind of rights that his government gives him and he has them as long as the government lets him have them." Then it was suggested that as a compromise it might be said, the word "nature" being one of a less religious significance than the word "Creator"—that man was endowed by nature with certain rights. But again it was said: "No; man is not endowed by nature either. He only has such rights as the state gives him." The final compromise in the interest of international cooperation was to omit any declaration that man is endowed with any rights—which, of course, is exactly the totalitarian theory of government. By the same process of compromise any and all right to own property was omitted from the covenant.

How can we ever expect to have a so-called universal declaration or covenant or any worldwide document on human rights which satisfies the American concept and the Russian concept, or even the English and the American concept, or the French and American concept without mentioning the other diverse nationalities of the world, like India, China, the Near East, and Africa? The whole project has been ridiculous from the start. It was considered and attempted some years ago, before the United Nations was ever thought of, by the American Law Institute and was abandoned not only because of the different concepts of law and government and religion and economics throughout the world, but because also of the difference in the meaning of important words. The word "liberty" has quite a different meaning in France and Italy, and other countries, than in America—as do also such words as "fair trial" or the word "freedom."

But in spite of the present Secretary's disclaimer, it is too much to expect that a mere disclaimer by a particular Secretary of State will stop the wave of internationalism which seeks to establish by treaty a so-called common standard of rights for all the world. The only effective way we can protect America and our standard of rights is by an appropriate constitutional amendment. Then, whenever in any of these international declarations, covenants, and treaties there is some provision or some omission contrary to American rights, such provision will simply be of no force and effect in this country and of no force and effect upon our courts in the interpretation of our laws.

The general effect of the present Secretary of State's testimony in the recent hearings before the subcommittee of the Senate Judiciary Committee was that, in his opinion, a constitutional amendment is unnecessary because, among other things, the present State Department can be trusted not to permit the drafting or approval of treaties adversely affecting American rights. Of course, the plain and easy answer to this is that it constitutes the age-old argument of persons in power that we are safe with a Government of men instead of a Government of law and adequate constitutional restraints.

A majority of the American people want a constitutional amendment to protect their rights, and not the word of a particular officer of Government, however eminent he may be. They want, and are entitled to, the protection of such a constitutional amendment. This whole matter of treaty law has become so dangerous in the hands of international pressure groups that the American people want a provision in their Constitution to protect them for all time as against the past, present, and all future State Departments that may drift into a policy of compromise and appeasement as to American basic rights.

As already indicated, the United Nations and its affiliated organizations already have



under consideration over 200 treaties affecting the social, economic, and political rights of American citizens, and the International Labor Organization at Geneva has drafted over 100 treaties and now considers itself a world parliament to keep on drafting treaties. Unless this vast program of treaty-law making is brought within proper limits by an appropriate constitutional amendment, American rights, both State and individual, and the American form of government will be substantially altered, if not destroyed. The people of this country should begin to realize that they are being led by the Pied Pipers of Internationalism into a complete change in their form of government under such noble phrases as "human rights," "social justice," and "world peace."

There is a United Nations Organization in every city, financed by our own tax money, in that we pay a large portion of United Nations expense, to propagate these ideas of a new world order. Through moneys appropriated to the State Department millions of dollars of tax moneys have been used to try to persuade Americans to embrace some form of world citizenship.

It is the first time in all history that any great nation has been financing a program leading to its own destruction. Other nations in history have fallen due to corruption and to internal decay or at the hands of military conquerors, but we are the first to knowingly finance our own destruction. The citizens of other nations in the United Nations, even at the present time, though members of the United Nations, are still devoted to their own national interests. This is true of England. Witness her attitude of protecting her national interests in China as against a blockade of the China coast to prevent war materials entering Communist China to be used to destroy our soldiers in Korea. France is jealous of her national interests in Morocco and Northern Africa. Egypt, Iran, and other countries of the Middle East are outspoken in their nationalism. India and Indonesia are outspoken in defense of their nation and interests and their customs and institutions. Of course, the Russians are likewise defending their nationalism and way of life. All other nations are defending their national identity and integrity, while many Americans seem willing to sacrifice and destroy ours by leveling out and modifying and overriding our laws and institutions through treaties which I have said are not domestic law in any other important country until implemented by national legislation.

The proposal for a constitutional amendment on treaties and executive agreements is being chiefly opposed by "one-worlders," "half one-worlders," "quarter one-worlders," "international do-gooders," and all the other Pied Pipers of internationalism, including a certain segment of the press and those commentators who are still the mouthpieces of a policy of giving America away on some vague theory that this will achieve world peace. A resolution for a constitutional amendment requires two-thirds vote in each House. It does not require the President's acquiescence or approval, nor does it require any approval from the Department of State or any other department of Government.

The chairman of the Senate Judiciary Committee and other Senators attending the recent hearings indicated that prompt committee action would be taken in making a report. Those of us who were in more or less constant attendance at the hearings believe that a substantial majority of the Judiciary Committee will recommend passage of a resolution approving a constitutional amendment in language appropriate and adequate to meet the views of Senator BRUCKER and his associates and the representatives of the American Bar Association.

A resolution for a constitutional amendment can be passed this year and should be passed this year, but it will only be passed

by the necessary two-thirds vote of both Houses if you, and the other courageous and loyal women of America get behind it with all your energy and enthusiasm and love of country. You will be told by some—even the high officers of government—that such an amendment will seriously interfere with our international relations. The American Bar Association was told the same thing when the Genocide Convention was offered for ratification—that if the Association opposed it and if America did not ratify that Convention, it would make the world think we did not believe in "Human Rights" and were not sincerely interested in internationalism and cooperation. This sort of talk proved to be sheer bogeyism and propaganda. Largely due to your opposition and the opposition of the American Bar Association and other patriotic organizations, the Genocide Convention has remained unratified for more than 3 years and the world and world peace have not been affected thereby in the slightest. Now, after all the emotional furor over the Genocide Convention, Mr. Dulles promises that so far as he is concerned he does not favor its ratification, though in September 1949 he publicly upbraided or chided the American Bar Association for opposing the ratification of this very treaty.

Mr. Dulles and the other Government witnesses to the contrary notwithstanding, the proposed constitutional amendment, if appropriately phrased along the lines of the American Bar proposal, will not interfere with negotiating any kind of a treaty with any number of words that may suit the international ideas of our representatives or the representatives of any other countries. The proposed amendment will not interfere with the ratification now or in the future of any treaty that the State Department presents and can get the Senate to ratify. The proposed constitutional amendment is not in any sense an amendment of the present provisions of the Constitution with respect to the negotiation and ratification of treaties. The Government witnesses seemed to wholly overlook this fact and in their testimony, as I shall show in a pamphlet about to be released from the press, indulged in a series of legal errors, untenable arguments and fantastic illustrations which were originally concocted by the City Bar of New York and then adopted by Government witnesses last year and rephrased by the Government witnesses this year. The record in the recent hearings discloses that not only did the Government witnesses of this administration adopt the old arguments presented in the hearings last year, but they unwittingly also repeated the errors of law and other fallacies of fact and illustration originally set forth in the report of the City Bar of New York.

As the overwhelming testimony in the recent hearings shows, the passage of an appropriate constitutional amendment as recommended by the American Bar Association would not interfere with the free negotiation and ratification of treaties. It would only mean that when, as, and if it transpires (whether soon or late) that a provision slipped into a treaty or omitted therefrom is about to operate adversely upon American rights and freedoms under our own Constitution and Bill of Rights, then the courts can freely hold that particular treaty provision is not effective in the United States as domestic law.

As your immediate and most important task in defense of America, in addition to the formal resolution you have already adopted, you and your great organization can perform no greater service than to give this matter of a constitutional amendment immediate priority over all other objectives.

In pressing for the immediate passage of a constitutional amendment on treaties and executive agreements, you and other patriotic Americans will be only exercising the

same wisdom as your forebears when they insisted upon the first 10 amendments (our Bill of Rights) without waiting for court decisions or acts of any Secretary of State or other concrete evidence of danger threatening what they conceived to be the basic individual rights inherent in the people. With the great number of treaties that are being proposed by the various agencies of the United Nations upon every conceivable subject, it is well to lock the door before the horse is stolen and set up a protective shield by way of a constitutional amendment which will make it crystal clear to all the courts and to the officers of Government that the American people have decided for themselves that no provision of a treaty shall be valid which conflicts with any provision of the Constitution of the United States.

However, we still face powerful opposition in this matter of getting a two-thirds vote, and after such a vote in both Houses of the Congress, then we may face powerful opposition in getting the necessary three-fourths of the State legislatures to adopt the amendment. In order to meet and overcome opposition to the amendment, I am going to suggest a plan to you. The patriotic women of America can put this constitutional amendment over—if they but devote their minds and their hearts to the task. The same idea or plan was effectively used immediately prior and during the Revolution. It was largely the brain child of Samuel Adams, of Boston. Most of you doubtless will remember the Committees of Correspondence that were set up in Massachusetts and in many other Colonies. Their function was to write letters to colonial officials and to the important private personages of that day and thus find out who were for American independence and who were against it, and who, out of timidity or otherwise, were noncommittal. They persisted in this letter writing until they had nearly everybody of importance throughout the Colonies on record as to their attitude. These Committees of Correspondence did such a remarkable job that one historian has gone so far as to say that without their work in encouraging the strong and pursuing the timid and driving the timid and the opponents to cover, the Revolution could hardly have been won.

Now, I sincerely urge you and your members to set up committees of correspondence in all the various localities throughout the country, and that these committees see to it that letters are immediately written to all Senators and Representatives—congratulating and praising those who are known to be for the amendment and ascertaining from the others why they are not supporting it, and get others to do so. I know that many of you have already written letters but this must be an organized effort. Appoint committees of correspondence in all your chapters. Get other patriotic organizations to do likewise. The issue is now plain and simple and the time has arrived for all good citizens to take sides immediately, and actively support this great constitutional movement.

Last Sunday you dedicated a great and beautiful memorial bell tower at Valley Forge. You worked and strived and built this magnificent memorial as an evidence of your devotion to American freedom and as an evidence of your loyalty to the American form of government, and as evidence of your faith in its continuation.

You now have the opportunity to work and strive and to build another memorial—a memorial in sacred words—a constitutional amendment to protect and assure the continuance of those freedoms and those institutions of Government which your beautiful memorial at Valley Forge commemorates and honors. I ask you tonight—each of you—and all together, to solemnly resolve that when you go from this great Constitution Hall—you will devote your minds and your hearts to working for the new memorial

to American freedom—a constitutional amendment to protect American rights and the American form of government against the dangers of treaty laws.

In conclusion may I say, as I said in a speech here a month or so ago: "In all the world America is the last hope and last stronghold of individual liberty. When the great problem of world peace is looked at from all sides, the necessity for preserving America's identity, integrity, and strength becomes more and more apparent and one is impelled to the conclusion that a strong, independent, and free America is not only the best for its own citizens, but the best guaranty of world peace and world order."

### "Air Evac" From Korea

#### EXTENSION OF REMARKS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 1953

Mr. EVINS. Mr. Speaker, all of us know, or should know, and appreciate the heroic deeds of the men of our Air Force on the war fronts. Today I wish to pay a special tribute to the remarkable services of the air-evacuation work carried on by the United States Air Force in transporting our wounded men in Korea from the combat lines to hospitals where they receive more quickly medical treatment prior to their return to the United States and home.

In this connection, Mr. Speaker, I include with my remarks a moving and well-written article by Mrs. Margaret Thayer Talbott, wife of the Secretary of the Air Force, with reference to evacuation of American soldiers from Korea. This article appears in the April 15 issue of *Vogue* magazine and is a most timely review of the evacuation work now in progress bringing to America prisoners of war and the wounded of our Armed Forces. The article follows:

#### "Air Evac" From Korea

(By Margaret Thayer Talbott)

The big plane bringing the wounded from Korea was late. "Usually we hit it on the nose," Col. James G. Moore, the gray-haired surgeon who is the head of Air Evac, told me, "but there seems to be some delay." We waited in the early dawn on Honolulu's Hickam Field with the nice young wives whom I had met a short evening or two ago, a gay Saturday nightful at an Air Force jamboree in a Japanese tea garden. This morning, these same young women, neatly dressed in crisp tropical Red Cross uniforms, waited to help with the arriving casualties. While we waited for this military air transport service flight, time was filled with coffee and endless small talk. (And during all of it, I had an awful whirl of emotions—of inadequacy, of fear, I suppose, of downright heartache, and of the black and white of Korea's war in newsmagazines and newspapers: "Peace is a beckoning phantom walking backward. Over the next hill; over the next hill—always over the next hill.")

Colonel Moore's lovely blond wife showed me through the Red Cross canteen. The mother of three small children, she has that expression which comes from owning a warm soul. She heads the Red Cross group of fifty-odd young women who all year meet the incoming loads of broken boys who have arrived since the Korean fighting began.

We went through Hickam "Operations," where the patient movement procedure is mapped, organized, and planned from the Korean battlefield to San Francisco. The director of nurses showed me the nurses' kits. Each nurse is equipped with three units: a small box-like trunk marked with her name and filled with every kind of medication, bandage, surgical appliance, and narcotic supply; a duffel, to hold the bed pans, urinals, restraining straps; and a third piece of equipment which holds varying sizes of oxygen masks, and is accompanied by its own tank. Used in chest-wounded cases, the tank can be plugged in electrically or, in emergencies, can be hand-propelled.

We learned, in the pharmacy, of constant experiments with new techniques. I saw the latest antiseptic disposable hypodermic kits, not yet on the market. The kit is a small box, with plastic containers, which fit into the syringe and can be thrown away after use, and needles packed in sterilized tin-foil cases to eliminate boiling. I saw the Stryker Frame, the newest stretcher, which makes it easier for the flight nurse to turn a heavy patient, and on the long plane journeys modifies the risk of bed sores.

Suddenly alerted, we went out to the flightline to wait as the big plane landed. A huge red combination fire fighting rescue engine chased it as it touched the ground in case of an accident during the landing roll. A long file of ambulances drew into position. After the plane's great doors opened and the ramp had been rolled into place, I followed Colonel Moore aboard. Ambulatory cases sat stolidly along one side. Opposite them, layer upon layer, lay soldiers, sailors, marines, and airmen, black, brown, and white.

As the photographers edged up with us, I whispered to Colonel Moore, "How can they bear to be bothered?" "Oh," he whispered back, "they enjoy it. It makes them feel important and as though the people back home do care. We always get the boys' permission." Flash bulbs lit up the interior.

"Here's a boy from your home town, Philly. Big smile please, Mrs. Talbot." (How can you smile? He has no eyes.)

"There's a guy from New York where you live. Big smile please, Mrs. Talbot." (How can you smile? His legs are gone.)

"Here's one from Ohio, the Secretary's State. Big smile please." But there's no hand to shake and you grin and grin and say, "Hi fella, how are you? Good trip?"

My jaw felt like concrete, my mouth wooden, asking silly questions over and over, trying to make sense. The two stalwart nurses looked small and fagged. Upon those two women had rested the entire responsibility of care for these boys from Tokyo to Honolulu. (For this rigorous duty, only the best nurses, who must sign up for a year, are chosen.) They nodded a curt "hello," and returned to checking their lists. But their handshakes were warm and friendly.

Off the ship limped the ambulatory cases, followed by a parade of stretchers. Swiftly, skillfully, they were moved by four corpsmen who had traveled with them from Tokyo, and now flowed back and forth into their positions like a silent river. As the bright Hawaiian sunlight hit the stretcher cases, it seemed to hurt their eyes, and some pulled sheets over their heads. Quickly, all the stretchers were loaded in ambulances. All traffic halted for them on the rapid ride to the hospital.

The relief of having been able to control my emotions was intense.

In transporting a total of over 50,000 patients, Air Evac has never lost a man en route. The wounded can count on being in the United States in 60 to 72 hours (weather permitting) after leaving Tokyo, the first step from Korea. From Tokyo, they hop to Midway, then to Hickam Field, where they are taken directly to Tripler Hospital for a full day's rest to break the trip and to have

their wounds fully attended. They fly then to the big base hospital at Travis Air Force Base, Calif., and are rerouted from there to the hospital nearest their hometown.

Later I went to the vast Tripler Hospital. High up in the hills, overlooking Pearl Harbor, this magnificent hospital towers above the city. From operating rooms to kitchens, nothing I have seen in the medical world can touch it. In the surgeons' restroom there are dictaphones so that the doctors can easily register important data on the operations they have just completed. Patients have individual radios like small round plates which fit beneath their pillows. In the cafeteria are diet-indicating cards of different colors for ambulatory patients to pick up with a tray: pink for diabetics, green for colitis, blue for ulcer patients.

After a 2-hour inspection, we revisited the boys who had arrived on the plane. Now bathed, shaved, they lay in big sunswept airy wards that had been filled with flowers. The Red Cross women brighten everything they can for these men with flowers. Native hats, woven out of green reeds, are intertwined with small orchids, then filled with cookies. Even the milk containers have flowers sticking out of them and, of course, everyone gets a lot. The boys who could now play cards; others listened to their radios or read. For all of them, it was the last lap home.

### Statement of Roswell Magill

#### EXTENSION OF REMARKS

OF

HON. FREDERIC R. COUDERT, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 1953

Mr. COUDERT. Mr. Speaker, under leave to extend my remarks, I include the following admirable statement by the Honorable Roswell Magill, Under Secretary of the Treasury during the Roosevelt administration, and now president of the Tax Foundation, in support of H. R. 2:

STATEMENT OF ROSWELL MAGILL BEFORE HOUSE COMMITTEE ON GOVERNMENT OPERATIONS AT HEARING ON APRIL 13, 1953, CONCERNING REPRESENTATIVE COUDERT'S BILL, H. R. 2

My name is Roswell Magill. I am president of the Tax Foundation, a nonprofit educational organization, and I appear here at the request of the committee to testify on Representative COUDERT'S BILL, H. R. 2. With your permission, I shall confine my remarks to three main points: (I) The need for both a balanced budget and tax reduction; (II) Congress' lack of annual control over expenditures as an obstacle to a balanced budget; and (III) proposals to eliminate this obstacle, including H. R. 2.

I. Concerning point No. 1, the need for a balanced budget and tax reduction, I do not believe there can be much argument about the desirability of these objectives. Both Congress and the administration are doing their best to accomplish these ends in fiscal 1954. I believe they can and must succeed. I base this belief on the simple principle that fiscal decisions must be approached on the basis of what 150 million Americans want the Federal Government to do.

Fundamentally, I think we want the Government to accomplish for us two great things. First, we want our Government to strive for peace in the world. We want a stable society and an end to recurring wars and emergencies.

Second, we want to maintain the economic well-being of America. That means, among