

# SITUATION IN CUBA

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HEARING  
BEFORE THE  
COMMITTEE ON FOREIGN RELATIONS  
AND THE  
COMMITTEE ON ARMED SERVICES  
UNITED STATES SENATE  
EIGHTY-SEVENTH CONGRESS  
SECOND SESSION

ON  
S.J. Res. 226, S.J. Res. 227, S. Con. Res. 92, S. Res. 388,  
S. Res. 389, and S. Res. 390

MONDAY, SEPTEMBER 17, 1962

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and the Committee on Armed Forces



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MONDAY, SEPTEMBER 17, 1962

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS  
AND COMMITTEE ON ARMED SERVICES,  
*Washington, D.C.*

The committees met in joint session, pursuant to notice, at 10:30 a.m., in room 318, Old Senate Office Building, Senator Richard B. Russell (chairman of the Senate Armed Service Committee) presiding.

Present: Senators Sparkman, Humphrey, Mansfield, Morse, Gore, Church, Symington, Wiley, Hickenlooper, Aiken, and Carlson, of the Committee on Foreign Relations.

Senators Russell, Stennis, Symington, Jackson, Ervin, Thurmond, Engle, Bartlett, Byrd (West Virginia), Bush, and Beall of the Committee on Armed Services.

Chairman RUSSELL. The committees will come to order.

Pursuant to the agreement reached by unanimous consent in the Senate on Thursday last, the Committees on Armed Services and Foreign Relations are meeting jointly this morning to consider several resolutions relating to the Monroe Doctrine situation in Cuba and Latin America. Some of the resolutions relate to conditions all over the world.

Without objection copies of Senate Joint Resolution 226, Senate Joint Resolution 227, Senate Concurrent Resolution 92, Senate Resolution 388, Senate Resolution 389, and Senate Resolution 390 will be printed in the record at this point, as well as the amendments to Senate Resolution 388 proposed by Senator Scott.

(The resolutions referred to follow:)

[S.J. Res. 226, 87th Cong., 2d sess.]

JOINT RESOLUTION Reaffirming the principles of the Monroe Doctrine and authorizing and directing the President of the United States to take such action as is necessary to prevent any violation thereof

Whereas there now exists in the Western Hemisphere a country whose government, being intimately linked with the Sino-Soviet bloc, is under the control and direction of the international Communist conspiracy; and

Whereas on January 3, 1961, the President of the United States formally terminated diplomatic and consular relations with the government of said country, following a long series of harassments, baseless accusations, and villifications by its officials; and

Whereas on February 3, 1962, the President of the United States formally proclaimed an embargo upon trade between the United States and said country in accordance with the decisions of the meeting of Foreign Ministers of the Inter-American System at Punta del Este, Uruguay; and

Whereas recent developments in said country have given rise to concern over the peace and safety of the United States and other peace-loving nations in the Western Hemisphere; and

Whereas the principles of the Monroe Doctrine, enunciated by President James Monroe in his annual message of December 2, 1823, are an expression of the inherent right of self-defense of the United States: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States is hereby authorized and directed to take such action as is necessary to prevent any violation of the Monroe Doctrine.

[S.J. Res. 227, 87th Cong., 2d sess.]

JOINT RESOLUTION Authorizing the President of the United States to employ the Armed Forces of the United States in order to protect the peace and security of the United States and the free world

Whereas the primary purpose of the United States, in its relations with all other nations, is to develop and sustain a just and enduring peace for all; and

Whereas the governments of some nations, and some areas not recognized as nations by the United States, are in fact dominated and controlled by other governments that are members of the international Communist movement; and

Whereas an act of aggression committed by the government of any such dominated and controlled nation or area might gravely endanger the peace and security of the United States and free world; and

Whereas such an act of aggression should and will be recognized by the United States as the act of the dominating and controlling government; and

Whereas in order to effectively protect the United States and its vital interests throughout the world, swift and decisive use of the Armed Forces of the United States by the President may be necessary: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to protect the peace and security of the United States and the free world and in order to protect the vital interests of the United States in any area of the world against acts of aggression committed by an unfriendly nation, or by the government of any nation or area dominated and controlled by the international Communist movement, the President is hereby authorized to employ the Armed Forces of the United States as he deems necessary, this authority to include the taking of such other measures as the President judges to be required or appropriate for the purpose of protecting the peace and security of the free world and the vital interests of the United States.

The authority granted by this joint resolution shall expire when the President determines that the peace and security of the free world are reasonably assured, and he shall so report to the Congress.

[S. Con. Res. 92, 87th Cong., 2d sess.]

#### CONCURRENT RESOLUTION

Whereas President James Monroe, announcing the Monroe Doctrine in 1823, declared to the Congress that we should consider any attempt on the part of European powers "to extend their system to any portion of this hemisphere as dangerous to our peace and safety."

Whereas in the Rio Treaty of 1947, the parties agreed that "an armed attack by any state against an American state shall be considered as an attack against all the American states, and, consequently, each one of the said contracting parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations."

Whereas the Foreign Ministers of the Organization of American States at Punta del Este in January 1962 unanimously declared: "The present Government of Cuba has identified itself with the principles of Marxist-Leninist ideology, has established a political, economic, and social system based on that doctrine, and accepts military assistance from extracontinental Communist powers, including even the threat of military intervention in America on the part of the Soviet Union;"

Whereas since 1958 the international Communist movement has increasingly extended into Cuba its political, economic, and military sphere of influence: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),* That it is the sense of the Congress that the President of the United States is supported in his determination and possesses all necessary authority—

(a) to prevent by whatever means may be necessary, including the use of arms, the Castro regime from exporting its aggressive purposes to any part of this hemisphere by force or the threat of force;

(b) to prevent in Cuba the creation or use of an externally supported offensive military base capable of endangering the United States Naval Base at Guantanamo, free passage to the Panama Canal, United States missile and space preparations or the security of this Nation and its citizens; and

(c) to work with other free citizens of this hemisphere and with freedom-loving Cuban refugees to support the legitimate aspirations of the people of Cuba for a return of self-determination.

[S. Res. 388, 87th Cong., 2d sess.]

#### RESOLUTION

Whereas President James Monroe, announcing the Monroe Doctrine in 1823, declared to the Congress that we should consider any attempt on the part of European powers "to extend their system to any portion of this hemisphere as dangerous to our peace and safety."

Whereas in the Rio Treaty of 1947, the parties agreed that "an armed attack by any state against an American state shall be considered as an attack against all the American states, and, consequently, each one of the said contracting parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations."

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Whereas since 1958 the international Communist movement has increasingly extended into Cuba its political, economic, and military sphere of influence: Now, therefore, be it

*Resolved,* That it is the sense of the Senate that the President of the United States is supported in his determination and possesses all necessary authority—

(a) to prevent by whatever means may be necessary, including the use of arms, the Castro regime from exporting its aggressive purposes to any part of this hemisphere by force or the threat of force;

(b) to prevent in Cuba the creation or use of an externally supported offensive military base capable of endangering the United States naval base at Guantanamo, free passage to the Panama Canal, United States missile and space preparations, or the security of this Nation and its citizens; and

(c) to work with other free citizens of this hemisphere and with freedom-loving Cuban refugees to support the legitimate aspirations of the people of Cuba for a return to self-determination.

[S. Res. 389, 87th Cong., 2d sess.]

#### RESOLUTION

*Resolved,* That it is the sense of the Senate that—

(a) the establishment in Cuba of a Soviet military base would represent a direct and grave threat to the peace of the Americas which cannot be tolerated;

(b) the President should seek to have the Organ of Consultation under the Inter-American Treaty for Reciprocal Assistance meet for the purpose of agreeing upon measures to deal with the existing situation in Cuba as

constituting a violation of the Monroe Doctrine and a threat to the sovereignty and political independence of the American states and endangering the peace of America, as defined in the declaration of solidarity adopted in 1954 at Caracas;

(c) the President should further, if in his judgment it is necessary, seek consultation with the members of the North Atlantic Treaty Organization; and

(d) the President should take such further action as he deems necessary to prevent the establishment of a military base by any foreign power on the soil of Cuba or of any of the other American Republics.

[S. Res. 390, 87th Cong., 2d sess.]

RESOLUTION

*Resolved*, That it is hereby declared to be the sense of the Senate that the domination and control of the Republic of Cuba by the international Communist movement jeopardizes the peace and security of the Western Hemisphere and violates the basic right of the Cuban people to independence and self-determination.

It is further declared to be the sense of the Senate that the United States, under the principles of the Monroe Doctrine, the Inter-American Treaty of Reciprocal Assistance, and article 51 of the Charter of the United Nations, has the right and obligation to take all necessary actions, in cooperation with other Western Hemisphere nations if possible, and unilaterally if necessary, to end such domination and control and to restore the Republic of Cuba to a government of the people, by the people, and for the people.

AMENDMENTS PROPOSED BY SENATOR SCOTT TO S. RES. 388 ON CUBA BY  
SENATOR MANSFIELD, SEPTEMBER 17, 1962

[Strike out words in brackets; add words in *italic*]

Whereas President James Monroe, announcing the Monroe Doctrine in 1823, declared to the Congress that we should consider any attempt on the part of European powers "to extend their system to any portion of this hemisphere as dangerous to our peace and safety."

Whereas in the Rio Treaty of 1947 the parties agreed that "an armed attack by any state against an American state shall be considered as an attack against all the American states, and, consequently, each one of the said contracting parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations."

Whereas in the Rio Treaty of 1947 the parties further agreed that "if the inviolability or the integrity of the territory or the sovereignty or political independence of any American state should be affected by an aggression which is not an armed attack or by an extracontinental or intracontinental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the continent."

Whereas in the Rio Treaty of 1947 the parties further agreed that "the measures on which the Organ of Consultation may agree will comprise one or more of the following: recall of chiefs of diplomatic missions; breaking of diplomatic relations; breaking of consular relations; partial or complete interruption of economic relations or of rail, sea, air, postal, telegraphic, telephone, and radio-telephonic or radiotelegraphic communications; and use of armed force."

Whereas the Charter of the Organization of American States, signed in Bogotá in 1948, states: "If the inviolability or the integrity of the territory or the sovereignty or political independence of any American state should be affected by an armed attack or by an act of aggression that is not an armed attack, or by an extracontinental conflict, or by a conflict between two or more American states, or by any other fact or situation that might endanger the

*peace of America, the American states, in furtherance of the principles of continental solidarity or collective self-defense, shall apply the measures and procedures established in the special treaties on the subject."*

Whereas the Foreign Ministers of the Organization of American States at Punta del Este in January 1962 unanimously declared: "The present Government of Cuba has identified itself with the principles of Marxist-Leninist ideology, has established a political, economic, and social system based on that doctrine, and accepts military assistance from extracontinental Communist powers, including even the threat of military intervention in America on the part of the Soviet Union;"

Whereas [since 1958] the international Communist movement has increasingly extended into Cuba its political, economic, and military sphere of influence.

*Whereas the Government of Cuba is now a part of the international Communist movement, defined by the Caracas Conference of 1954 as of 'antidemocratic nature and \* \* \* interventionist tendency \* \* \* incompatible with the concept of the American freedom."*

*Whereas the Declaration of Caracas condemned the activities of the international Communist movement as constituting intervention in American affairs and expressed the determination of the American states to take the necessary measures to protect their political independence against the intervention of international communism, acting in the interests of an alien despotism.*

Now therefore be it resolved that it is the sense of the Senate that the President of the United States is supported in his determination and [possesses all necessary authority] *in addition to his authority as Chief Executive, is specifically authorized to employ the Armed Forces of the United States as he deems necessary—*

(a) to prevent by whatever means may be necessary, including the use of arms, the Castro regime from exporting its aggressive purposes to any part of this hemisphere by force or the threat of force;

(b) to prevent in Cuba the creation or use of an externally supported offensive military base capable of endangering the United States Naval Base at Guantanamo, free passage to the Panama Canal, United States missile and space preparations or the security of this Nation and its citizens; [and]

(c) to work with other free citizens of this hemisphere and with freedom-loving Cuban refugees to support the legitimate aspirations of the people of Cuba for a return to self-determination; and

(d) *to use such measures as may be necessary to halt, impede or counter the buildup of Cuba with Communist arms as a Communist military base, including the use of economic and military boycott and blockade.*

#### PROCEDURAL MATTERS DISCUSSED

Chairman RUSSELL. With a combined membership as large as that of these two committees sitting jointly the seating arrangements are most difficult to coordinate. At times there are vacancies, some Senators can't be present at all times, and Senators are scattered around the table if an effort is made to seat them according to seniority. Therefore, with the indulgence of all concerned, the Chair would propose to the two committees that Senators be seated on a first come, first served basis during this hearing.

It would seem desirable to print a cleared version of the testimony that will be given to the committees as promptly as is practical, and we, therefore, ask the cooperation of the Departments of Defense and State in indicating security information that should be deleted from the printed record.

The Secretary of State, Mr. Rusk, and the Deputy Assistant Secretary of Defense for International Security Affairs, Mr. William P. Bundy, are present to give the views of the executive branch on these resolutions. Before they testify, however, we have two Members of the Senate who wish to testify, the junior Senator from New York, Mr.

Keating, and the junior Senator from Vermont, Mr. Prouty, have both indicated their desire to give us their views on these resolutions.

Senator Sparkman, do you have anything you wish to say before we proceed?

Acting Chairman SPARKMAN. Mr. Chairman, I don't have anything to add to that.

I might just remind the committees that under the motion by which these resolutions were sent to the committees, we are ordered to report back not later than noon Thursday. My understanding is that this subject then immediately becomes the pending business.

Chairman RUSSELL. I think that is correct. And with a committee of this size, it will take some time to coordinate the views, perhaps vote on differences of opinion. We should move as expeditiously as possible.

Acting Chairman SPARKMAN. May I add just one more word with respect to expedition. Secretary Rusk has a 2 o'clock meeting before the Appropriation Committee and he hopes we will finish these hearings, at least his part of it, by 2 o'clock.

Chairman RUSSELL. Senator Keating, you may proceed.

**STATEMENT OF HON. KENNETH B. KEATING, A U.S. SENATOR  
FROM THE STATE OF NEW YORK**

Senator KEATING. Thank you, Mr. Chairman.

I appreciate the opportunity to appear before these two distinguished committees. I commend the committees for the responsible manner in which they have initiated these public hearings on all of the resolutions with regard to U.S. policy toward Cuba.

I turn specifically to these resolutions.

Some, undoubtedly seek to give the President additional power. Whether or not that is desirable will be one of the considerations before you. The resolution introduced by the senior Senator from Connecticut, Senator Bush and myself, however, Senate Resolution 390, does not anywhere refer to the President of the United States but instead expresses the sense of the Congress in this matter.

It is not like the resolution of the distinguished Senator from Montana, our majority leader, which specifically declares that—

The President of the United States is supported in his determination and possesses all necessary authority to undertake certain specific measures.

I respectfully submit that it might be more appropriate for the Senate to limit itself to an expression of the sense of the Congress and not to attempt to read the mind of the President.

**INDEPENDENCE AND SELF-DETERMINATION FOR CUBAN PEOPLE**

I also believe it is desirable to refer very strongly in the text of the resolution to the present infringement on the rights of the Cuban people to national independence and self-determination, an infringement which is the direct result of the alien imperialistic military and political base which the Soviet Union and Castro have created on the island of Cuba.

The resolution introduced by Senator Bush and myself makes this reference very decisively.

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## DISTINCTION BETWEEN OFFENSIVE AND DEFENSIVE BUILDUPS

There is one other aspect of the resolution of the distinguished Senator from Montana which reflects an earlier statement by the President which, in my judgment, may be questionable. It is said, and repeatedly emphasized, that the present buildup in Cuba is a defensive one, and that only if such a buildup becomes offensive will we take action.

In my judgment this distinction between an offensive and defensive military buildup is dangerous and unrealistic. Who is to judge whether a gun or a tank or torpedo boat or a MIG fighter is intended for offensive or defensive purposes?

Certainly with regard to missiles it is my understanding that a missile launching facility for short-range ground-to-air missiles may be transformed in a very short time into a facility for intermediate range ground-to-ground missiles.

Thirdly, as Mr. Hanson Baldwin has pointed out, and he is certainly a responsible and by no means an alarmist expert on military policy, the present buildup in Cuba when finally completed will provide a strong base for any future offensive actions.

At what point can we determine that this progressive buildup has passed the point of defensive capability and acquired an offensive value? I think it might be helpful, Mr. Chairman, if I might ask that at the conclusion of my remarks this very fine analysis by Mr. Hanson Baldwin be incorporated in the record.

Chairman RUSSELL. That matter will appear at the conclusion of the Senator from New York's remarks.

Senator KEATING. Fourthly, it is the whole history of Communist expansion that infiltration and subversion are used as effectively as overt aggression to overcome free governments. We can't possibly protect the security of the Western Hemisphere if we limit our response to cases of obvious aggression. Our hesitancy in dealing with Cuba, in my judgment, already has served to weaken the resolve of many Western Hemisphere leaders to combat castroism in their own lands.

Certainly we must not wait for open aggression before taking further steps against this regime.

I don't want to occupy the time of these committees in criticism of some of the statements that have been made to date by various representatives of the Government. I would rather use this opportunity to recommend a constructive course of action which can be taken by the United States without undertaking a military invasion of Cuba.

Let me make it very clear that I certainly do not under present circumstances advocate an invasion of Cuba.

## MEETING OF ORGANIZATION OF AMERICAN STATES

But there are a number of steps which I believe are imperative. First and foremost, I have recommended a formal meeting of the members of the Organization of American States. I was delighted to learn on September 5 that Secretary of State Rusk did hold an in-



formal meeting with the ambassadors of the Latin American nations and at that time proposed that an informal meeting be held at a later time.

Every possible attempt should be made at such a meeting to agree on a number of common measures to isolate the Cuban dictator from the rest of the hemisphere.

#### EVALUATION OF MONROE DOCTRINE

Secondly, and also on the agenda should be an honest, an objective evaluation of the Monroe Doctrine. The Monroe Doctrine in my judgment must not be allowed to die. It is difficult to improve on the wisdom, the common sense of the words of President Monroe and I quote one sentence when he said in 1823:

It is impossible that the allied powers—  
 meaning certain European powers—  
 should extend their political system to any portion of either continent without endangering our peace and happiness nor can anyone believe that our southern brethren—  
 meaning, Mr. Chairman, the Latin American nations—  
 if left to themselves—

Chairman RUSSELL. From the kindly tone employed, I assumed it.  
 Senator KEATING (continuing):  
 would adopt it of their own accord.

Now, President Monroe's words apply to the present case. He recognized that quite possibly a form of government might be forced upon a state in the Western Hemisphere by reason of the superior power of one of the European nations.

He did not leave it to the tool of the alien power, in this case Castro, to decide whether this condition should be allowed. The Cuban people never would have adopted the Communist tyranny under which they are now ruled if they were not deceived in the same way many Americans were deceived by the nature and character of castroism.

It would be very useful for the Organization of American States to express its recognition of the tyranny under which the Cuban people now suffer, and its determination to take whatever steps are necessary to liberate the Cuban people from Communist control.

It would be most effective if the OAS declared Castro an outlaw regime and recognized a Cuban Government-in-exile which met certain conditions as the true representative of the Cuban people.

Up until now the OAS has deliberately dodged such issues but they cannot be dodged forever.

If the OAS refuses to meet this situation honestly and fearlessly the United States will have no alternative but to take whatever unilateral action is necessary in our national interest.

A consensus for action is most desirable but we can never join in a consensus for inaction.

#### ACTION BY NATO MEMBERS DEMANDED

Thirdly, the United States should call for an immediate meeting of NATO ministers in which the United States should mince no words.

It is absolutely ridiculous and must be unacceptable to the United States that NATO and other free world nations supply shipping to the Soviet Union to create a military base in Cuba.

It is intolerable that at a time when American reservists are put on the alert to defend West Berlin, among other purposes, that West German ships should be chartered to the Soviet Union for the transport of strategic equipment to any Communist country in this hemisphere.

It is intolerable for the Canadian Government to permit the flight of Soviet planes over Canada in order to supply additional equipment to Cuba. It is intolerable that in addition the Canadian Government should supply pilot observers or guides for the flight of light bombers to be added to the Cuban Air Force or transport planes.

It is intolerable that the Government of Greece, which was rescued from Communist guerrilla warfare and aided by the Marshall plan, and by the Truman doctrine, should provide both shipping and refueling facilities for Russian cargo vessels on their way to Cuba.

It is, in fact, intolerable for any NATO nation to permit the use of vessels flying its flag to transfer Russian equipment with a direct or indirect military potential to the Cuban Government.

The present tendency of the NATO governments to carry on trading and in particular ship chartering activities with the Soviet Union in its efforts to supply Cuba may be the result of the inability of the United States to work for a more effective policy of export controls within the NATO community. Our Government never appears to have recognized this as a matter of urgency; that is, over a period of many, many years they have not recognized the urgent problem here.

In the programming and administration of our aid program, we will have to take into consideration this new element, the use of shipping of NATO nations for Soviet purposes.

#### GOAL IS ISOLATION OF CUBA

The goal for which we should be striving in our foreign policy, and in these resolutions, is the complete isolation of Cuba, the quarantine of the Castro government from political influence and economic impact in Latin America and throughout the world, not only because the interest of the United States is involved but also because the Cuban people are themselves being deprived of the right of self-determination and self-government.

#### FULL INFORMATION FOR THE AMERICAN PEOPLE

Mr. Chairman, if I may digress very briefly, it is my conviction that the people of the United States have the right to know the facts about Cuba. I don't believe that the responsible members of these committees would characterize as jingoism or as war mongering or as alarmism or rashness a critical discussion of the situation which exists in the first Western Hemisphere country to fall under the control of international communism. I have confidence in the President of the United States, and I am much encouraged by his most recent expressions on this subject, but that is no reason for foreclosing discussion of the course of events in Cuba.

I reject completely the suggestion which has been made by some that the only role the Senate can play in shaping our foreign relations is to express our faith in the President of the United States.

Bipartisanship is essential in our foreign affairs but bipartisanship is premised on an opportunity to discuss and consider alternatives before the decision is made. And this kind of discussion is impossible unless a maximum amount of information is made available to the American people.

Any concealment of the facts, any encouragement of a blind and uninformed confidence in policies which may be misguided even though well intentioned are not in the best interests or in the traditions of our Republic.

The framers of the Constitution certainly intended that the Senate should do more than merely consider and perhaps change a word or two in resolutions which the President might send up to Capitol Hill.

Of course, some of the activities undertaken by the United States—many of those activities, may not, for security reasons, be publicly discussed. But this is no justification for not fully disclosing the activities of the Soviets in Cuba, the number of troops or technicians, the types of equipment, the number of missile bases, the length of time required to convert what are now called defensive missile installations into offensive ones, and similar information.

The Soviets obviously have this information, and there seems to me no reason to keep it from the American public, and I hope that questions along these lines will be considered during the testimony of Secretary of State Rusk and Secretary McNamara.

The American people are entitled to know the facts. Only when the full facts are not known is it possible—and I quote—

to play on the fears, the biases, the prejudices, and the emotions of the American people, instead of dealing constructively with the issues.

In my judgment, therefore, we are not doing a service to the United States or to the principles of representative government which we all cherish if we tell the American people simply, "You do not need to know the facts. All you need to do is trust the President."

No President is omniscient. The very strength of the democratic process is that out of widespread discussion comes intelligent criticism and useful guidance.

In my judgment, I might say, I won't quote it from my statement but this point is made very well in the recent book, "The Cuban Invasion," by Ted Schultz and Carl Meyer.

In my judgment, full information and public discussion are right now even more the responsibility of the American people, and in my judgment, any who have tried to prevent or suppress such discussions are doing a discredit to the American people and the Congress, and when I say "discussions" I mean constructive discussions, and I, therefore, particularly wish to commend the chairman and the members of these two committees, and the minority and majority leaders of the Senate who have arranged for these joint meetings and made it possible for the American people to have a public—a presentation, I thought it would be open hearings, and a full discussion of the issues that are involved in the present Soviet military buildup in Cuba, and to give those of us who feel so deeply about this matter an opportunity to be heard.

Chairman RUSSELL. Thank you, Senator Keating.

Senator KEATING. Thank you, Mr. Chairman.

Chairman RUSSELL. All the members of these committees and of the Senate know how concerned you have been about this situation. You have discussed it on a number of occasions.

I was interested in your condemnation, to me entirely justified, of the use of NATO nation ships and shipping. I was greatly concerned to hear that some shipping from other countries such as Liberia, where American-owned shipping uses that flag for purposes of convenience, has been utilized.

I assume your condemnation goes across the board to that?

Senator KEATING. It certainly does, definitely.

Chairman RUSSELL. Just one other question.

AT WHAT POINT SHOULD THE UNITED STATES ACT UNILATERALLY?

In your resolution, the one that you and Senator Bush are sponsoring jointly, you say we have the right and obligation to take all necessary actions in cooperation with other Western Hemisphere nations, if possible, and unilaterally, if necessary, to end such domination.

Can you help the committee with any standard for determining when we have exhausted the possibility of getting cooperation from the other nations of this hemisphere?

Senator KEATING. Well, I think that is an Executive decision primarily. I think very prompt action should be taken to try to get the cooperation of the other Latin American nations.

We did not get out of the Punta del Este conference or in other ways, as much as we, I believe, had reason to expect.

I have the impression that some of the things which we have long been telling them about the buildup of the Communist base in the Western Hemisphere, they certainly will now have good reason to know definitely. It is my hope that some of them will be more inclined to take concerted action with us now than they were before.

Now, as far as the time when we must conclude that we are going to act unilaterally and what that action should be, I don't think can be said at the moment beyond this, that I consider this a matter of the utmost urgency, and that the time should be short.

Chairman RUSSELL. From your statement, I assume you think the first step that should be taken, when all other efforts to get cooperation fail, is a quarantine—the blockade of the island?

Senator KEATING. I think that again is an Executive decision at this time. First, I don't think we have reached that point.

Chairman RUSSELL. I understood you thought that was justified in the course of your statement?

Senator KEATING. I think if we get no cooperation from either our NATO or our other Allies in action, I think that that is the first step we would have to consider.

I don't think I can say at this time positively that that is a step we should take. I think we must consider that, if we get no cooperation on hemispheric action, and if our representations to the Soviet Union and other Communist countries are of no avail, and they continue to ship in military material and personnel.

Chairman RUSSELL. Senator Sparkman?

## NATURE OF A BLOCKADE

Acting Chairman SPARKMAN. At what point in a blockade, in your opinion, does it become an act of war?

Senator KEATING. Well, as I have looked into it, there are, there have been many instances where blockades have been instituted which have not led to war, and have not been construed as an act of war. Curiously enough, contrary to our own domestic law, as I read the history of blockade and I haven't by any means exhausted it, the legality of a blockade to a large extent depends on its effectiveness. In my judgment, a blockade, if we were joined by our allies, Latin America, and/or NATO allies, preferably NATO allies in this area, would be effective, and in my judgment, could be done without being an act of war.

However, I think the longer, Senator Sparkman, that we delay, if we are ever going to do anything about the building of a Communist base in this hemisphere, my judgment is that the longer we delay the more serious becomes the likelihood that positive action would lead to war.

## ARE THE MISSILE BASES IN CUBA CONVERTIBLE?

Acting Chairman SPARKMAN. I want to ask you one other question. Do you have information that makes you rather positive that the missile bases there now can be converted readily?

Senator KEATING. My information is they can.

Acting Chairman SPARKMAN. I hope we may have some evidence on that from the military because it has been my understanding that they are not readily convertible. I hope we can clear that point up.

Senator KEATING. I would very much appreciate it if you would get that.

Acting Chairman SPARKMAN. I think a lot would depend on the convertibility of those missile bases.

Senator KEATING. I think that is a very important point and my information is that they are readily convertible into launching facilities for intermediate-range missiles, not long-range missiles.

Acting Chairman SPARKMAN. No.

That is all, Mr. Chairman.

Chairman RUSSELL. Any member of the Armed Services Committee have any questions?

Senator Goldwater?

## PROTEST TO THE SOVIET UNION

Senator GOLDWATER. I think, Senator Keating, on your missile base change, it would apply to tactical-range missiles, and they would have the capability of hitting the southern part of the United States.

I wanted to ask you, are you aware of any note that the President or the State Department has sent to Premier Khrushchev objecting to the sending of supplies to Cuba?

Senator KEATING. No, I am not.

Senator GOLDWATER. Would you think that this would be one of the preferable first steps that should be taken?

Senator KEATING. I assume that such step has already been taken. I can't conceive of it not having been taken. I just don't know of such a note. If it has not been sent, it ought to be sent today in my judgment.

Senator GOLDWATER. I haven't heard of it.

Senator KEATING. I don't know. I just assume it has been done. It certainly should be if it hasn't in my judgment.

#### IS THE SITUATION IN CUBA A THREAT?

Senator GOLDWATER. One other question, and this is not intended to be critical, but if I recall the language the President used the other day it was that substantially Cuba was not a threat to anyone as yet.

I wonder if you would agree that these supplies constituted a definite threat to those Cubans who might like to revolt against Castro. These supplies have bolstered his police force and his army to the extent that he could probably prevent any uprising by native Cubans.

Senator KEATING. I certainly do. I can't believe that the building of this base 100 miles from us is not a threat, meaning by that no one. I believe, contends that Castro or his Soviet masters intend to invade the United States from Cuba, but I just can't feel that this is not a threat.

I have sensed, and I don't want these remarks to apply to the President, but I have sensed a feeling in Government circles which disturbs me. I read yesterday, as perhaps some of you gentlemen did, a front-page story in the New York Times, and I don't have it here, but it makes the absolutely astounding statement that a highly placed official in the Government said that the situation in Cuba was no worse now than it was a year ago.

Well, no wonder he didn't want his name used. I just can't conceive of that kind of information being put out. I think that the President will be supported in whatever strong action he feels we must take, and I think it is unfortunate to have statements like that made, even by unidentified Government officials. It could be a reporter's assumption, but I am assuming the good faith of the reporter.

Senator GOLDWATER. That is all.

Chairman RUSSELL. Does any member of the Foreign Relations Committee have any questions?

Senator WILEY?

Senator WILEY. Yes.

#### EXTENT OF SOVIET DOMINATION OF CUBA

Senator, my understanding of what you have said is this: That the Russians haven't just shipped arms to Cuba, they have taken over Cuba, is that right?

Senator KEATING. In my judgment that is what it amounts to. Cuba is now a Russian base, and Castro is a complete puppet. If he doesn't do exactly what they want him to do they will take him out and put somebody else in.

There are a couple of other figures in the Cuban Government who have been closer to the Soviet Union than has Castro and I wouldn't be surprised to see tomorrow morning that Mr. Castro was out and one of these other figures had taken his place.

I think it is completely dominated now by the Soviet Union.

Senator WILEY. Do you differentiate between a situation in which the Kremlin has shipped arms for Castro, and a situation in which the Kremlin has taken over Cuba. Do you discriminate between the two?

Senator KEATING. I think both have been done. I think part of it was to bolster up a Communist regime in Cuba and to make it look better, and, of course, the shipment of Soviet oil to Cuba has been the only thing that hasn't caused Cuba to collapse completely economically, to shut every factory and everything else.

If they had not had the Soviet oil carried in some instances, Mr. Chairman, by NATO ships, they would have collapsed. The economy would have completely collapsed before this. It couldn't go on.

It would have been bad for the Soviet Union to see a Communist regime collapse, and I think it is, in part, to help bolster up the Cuban regime, the Castro regime, but I think coupled with that is a desire to establish a Soviet base in the Western Hemisphere.

Senator WILEY. We have shipped a lot of arms to countries surrounding Russia, but we have never gone in and made them an American base, have we, although we do have bases within striking distance of Russia?

Senator KEATING. We have bases but we have never tried to dominate the Governments of any of the countries where we have bases or to impose our form of government upon them.

Senator WILEY. Then that is the basic reason that you feel that there has been a violation of the Monroe Doctrine and there has been something that has affected the security of this country?

Senator KEATING. I believe so.

I do not accept the thesis that it is not a violation of the Monroe Doctrine for one government to invite another European power in. Think where that would lead us to. Here is a government set up by force, the Castro government which came in by a revolution. If you accept that thesis, all that has to happen is a coup d'etat in Haiti or Bolivia or some other country. You now have Monroe Doctrine minus one. You then would have Monroe Doctrine minus two or three. Then pretty soon like the 10 little Indians, they would all fall and you would have nothing for the Monroe Doctrine to apply to except the United States.

President Monroe, in enunciation of that doctrine, referred to the fact he knew our southern brethren might have imposed upon them from the outside ideologies in the form of government that they didn't want and this was intended to protect them against it.

We have an obligation to the Cuban people here under the Monroe Doctrine, in my judgment.

Senator WILEY. I think I understand fully your position, and it is this: Had there been arms shipped in and only that, there would have been no violation of the Monroe Doctrine; but since, as a matter of fact, the Russians have sent men and experts and have virtually taken possession of Cuba, that action has violated the doctrine; is that it?

Senator KEATING. Well, the doctrine has been violated, in my judgment.

Now, how much less than what they have done could have been done without violation of the doctrine, I would rather not be pinned down on now. But what they have done, has in my judgment been a violation of the Monroe Doctrine.

Senator WILEY. Thank you.

Chairman RUSSELL. Any member of the Armed Services Committee have any questions?

Any member of the Foreign Relations Committee?

Senator Hickenlooper?

#### IMPACT ON OTHER LATIN AMERICAN COUNTRIES OF MAINTENANCE OF CASTRO REGIME

Senator HICKENLOOPER. Senator Keating, I would like to get your views because of your extended interest in this matter. I would like to get your views about the psychological and practical impact upon the other Latin American countries and the dissident elements in those countries as a result of the maintenance of the Castro regime in Cuba and its apparent strengthening. In other words, what do you think is the impact in other Latin American countries of Castro getting away with what he does?

Senator KEATING. I answer that question with a good deal of deference being put by you in your position on the Latin American Subcommittee.

My own opinion is—

Senator HICKENLOOPER. I am asking for your opinion because of your interest in this matter.

Senator KEATING. My own opinion is that we can't afford to let Castro get away with this among other reasons, for the sake of our standing with other Latin American Republics.

If we allow him to succeed in this, and he has just about done so today, in establishing a base, we have got to take some action in order to show our strength with the other Latin American nations.

Senator HICKENLOOPER. Do you see any significance in the taking of American-owned property in Brazil, which has been done—and apparently they are getting away with it, or will—and the proposed confiscation of American property in Honduras right now under the legislation which they passed, and the extension of that type of action in other Latin American countries?

Senator KEATING. I am confident if we do not act here with regard to this Castro situation we will see a great many such instances in Latin America.

#### INCONSISTENCIES IN AMERICAN POLICY

Senator HICKENLOOPER. Do you see any contract in the leasing of ships by our allies for bringing Iron Curtain supplies into Cuba and our refusal to aid our allies, the Dutch, who were trying to send some troops to West New Guinea to protect their rights. We refused to assist them in any way—even feed them or gas their planes, as some of the others did—when they were only trying to send soldiers and people to protect their own interests.

Do you see any inconsistencies in that kind of a program?



Senator KEATING. I have been very critical of the shipment of strategic goods by our allies and the nations we have helped and who have helped us, in all candor, but I think we have had a right to take a firmer position than we have about the shipment of strategic goods to Iron Curtain countries and specifically to Cuba.

Now, I must say, the Senator spoke of the Dutch; the Dutch, last year, have increased their shipments to Cuba from 8,200,000 to 10,900,000, and—

Senator SYMINGTON. 10,900,000 what?

Senator KEATING. Dollars. And they are not as bad as Canada, which is the worst of all of our allies in this regard. Canada has increased trade with Cuba, but that trade is not in food and medicines, things of that kind. It is in industrial equipment, in oil and other things that are needed.

Senator HICKENLOOPER. That brings to my mind the fact that Canadians sold the Red Chinese a whole lot of wheat, and we let them have the machinery to unload it over there. I am wondering about the consistency of activities here.

Senator KEATING. I am afraid that in the future the people will look back at some of the things we have done—and I say this in a completely unpartisan way, because many of these things have gone on for a great number of years—they will look back at some of these things and wonder what we were up to.

Senator HICKENLOOPER. Thank you, Mr. Chairman.

Chairman RUSSELL. Senator Morse, have you any questions?

Senator MORSE. Senator Keating, has the President, to your knowledge, expressed a desire that the Keating resolution or any of the resolutions before the committee be passed by the Senate?

Senator KEATING. No, not to my knowledge.

I assume that because of the similarity in language at his press conference with what was contained in the Mansfield resolution, that that had his blessing but that is just an assumption. It is not based on any knowledge.

#### RIGHT OF CONGRESS TO ADVISE PRESIDENT

Senator MORSE. Do you think that the Senate, under the advice and consent clause of the Constitution, has any obligation to give the President its advice in regard to a delicate matter that involves the critical foreign relations problems of the country and might put him in a position where he would find himself in conflict with the Senate and the House?

Senator KEATING. One of my objections, Senator Morse, to the wording of the Mansfield resolution, is that it seems to me that it does that.

Of course—

Senator THURMOND. Senator, would you wait just a minute? I can't hear you.

Senator KEATING. Of course, it does it to a large extent by saying that the Congress agrees with what is in the mind of the President.

One of my objections to it is that I don't think we should read his mind; I do think it is desirable for the Congress, as the representative of the people, to make clear something about its position with regard

to the Cuba situation, not as an effort to give advice to the President, and one of the merits, it seems to me, of the resolution introduced by Senator Bush and myself is that it in no way refers to the President.

I would prefer not to see a reference to the President because certainly we shouldn't tie his hands.

One of the things in the Mansfield resolution, which seems to me questionable, is that it delineates just exactly the things which seem to be objectionable, the creation or use of an externally offensive military base capable of endangering the U.S. Naval Base at Guantanamo, and the present passage of the Panama Canal, U.S. missile and space preparations or the security of this Nation or its citizens.

Now, at the other extreme, it seems to me we shouldn't say to him if one of these things is done you must act—in the final analysis I believe I agree with the Senator's thesis that it is the President's responsibility, and he must exercise it.

But I think it is highly desirable for the Congress to take some action in this field, and I believe the American people rather expect that.

Senator MORSE. Senator, isn't it really a matter of semantics between your resolution and the Mansfield resolution in this matter of directing the President in the field of foreign policy. Your resolution urges that we try to get joint action with our southern neighbors, and if we don't get it you say:

Unilaterally, if necessary, to end such domination and control and to restore the Republic of Cuba to a government of the people, for the people, and by the people.

Is that not a clear direction by the Congress? It causes me to supplement that question with a corollary question: Would you detail for these committees what you would have the President do by way of unilateral action, if necessary, according to the thesis of your resolution?

Senator KEATING. To answer the first part of your question, I don't think it is a direction to the President. It is similar to the problem we have had so often before us before, in the foreign aid bills, for instance, that the President would be directed to shut off aid unless certain things were done.

Now, in general, we have not adopted that. We have, on a number of occasions, adopted a sense of Congress resolution to the effect that it was our feeling that if certain things were not done, aid should be cut off or priorities should be set up or some similar language.

A sense of Congress resolution is quite different, as the Senator knows, from a direction to the President.

#### WHAT KIND OF UNILATERAL ACTION IS RECOMMENDED?

To answer the second part of the Senator's question, I would answer it much as I did the question of Senator Russell: The decision as to the unilateral action which should be taken is the President's decision, and he will be backed up in that, I am sure, by the Congress.

I don't think—I think it might be a little presumptuous for me to indicate what I would do as a President. I have already discussed one of the steps which I feel would be necessary if we can't get any cooperation from any of our allies.

I don't believe we can permit this buildup to continue in Cuba.

Senator MORSE. I might very quickly comment that if you express the sense and opinion of Congress that the President take unilateral action, if necessary, to end such domination and control, you are giving direction to the President, but you are not particularizing in that direction what kind of unilateral action he should take. I would like to have you outline for this committee what kind of unilateral action not within the realm of force the President can take if he doesn't have the cooperation of our Latin American allies and our NATO allies?

Senator KEATING. I think it might be within the realm of force.

Senator MORSE. Give me something that wouldn't be in the realm of force?

Senator KEATING. I do not think it is appropriate in a resolution to try to spell out what that unilateral action should be. I think we could not go properly further than to say that we seek by every means possible to get our allies to cooperate but if they will not cooperate we must take some action on our own.

Senator MORSE. I couldn't disagree with you more.

Suppose you can't get the cooperation and you say the President should take unilateral action, and you send out to the American people the word that we have said to the President, "You must act unilaterally by what action is necessary to end such domination or control." Don't you think you have a duty to tell the American people what is going to confront them if we follow the recommendation that you want the Congress to adopt?

#### BLOCKADE DISCUSSED

Let's take the blockade. Do you think Her Majesty's Government would ever recognize a U.S. blockade of a British ship on the high seas? Do you know of any time she has?

Senator KEATING. Well now, the Senator has a great facility for putting two questions into one.

Senator MORSE. Divide your answer, then.

Senator KEATING. To answer your first one first: I do not think we should set forth the specific action in such resolution which we should take, and I refer to the words of President Kennedy on April 20, 1961, when he said:

If the nations of this hemisphere should fail to meet their commitments against outside Communist penetration then I want it clearly understood that this Government will not hesitate in meeting its primary obligations which are the security of our own Nation.

Now, that statement is just as good today as it was then, and the President did not then, and probably for good reason, point out just exactly what the Government would do on its own if we did not have cooperation from our neighbors.

Now, the answer to the second part of the Senator's question, I think that the Government of England, Her Majesty's Government, could be persuaded if it reaches the point where that becomes necessary, I believe that they could be persuaded not to permit—to cooperate with us in the efforts on our part to prevent the establishment of a Communist base in this hemisphere.

I feel sure that we would cooperate with them to avoid Ireland, for instance, being made a Communist base. They would expect us to, and I think that they would cooperate with us if we could convince them that is what is happening in Cuba.

Senator MORSE. Are you familiar with the fact that the British Government has historically opposed blockades and interference with the right of Great Britain to send her ships on the high seas?

Senator KEATING. That is right; and Great Britain has also imposed blockades in a number of instances in history and successfully done so without a war.

Senator MORSE. Do you think Canada would recognize the U.S. blockade of Cuba?

Senator KEATING. I think it is very likely that Canada would cooperate—would take much the same position as Britain.

Senator MORSE. Would you impose the blockade first and then ask that they cooperate?

Senator KEATING. Well now, the Senator is, I fear, endeavoring to put into my mouth the idea that I favor a blockade tomorrow morning.

I want it made very clear that there are a great many steps which I think should be taken before any blockade should be imposed and I think that we should talk about the specifics of a blockade after these other situations have been all exhausted if we found that we haven't succeeded in it.

#### UNILATERAL ACTION DISCUSSED

Senator MORSE. Let me make my question very clear. If allied cooperation is not forthcoming, I want to know what you propose to do by way of unilateral action on the part of the United States to end such domination and control of a Communist Cuba. I speak very frankly by telling you that this resolution of yours is an interesting exercise in semantics. It really says, when all is said and done, that if we can't get the cooperation then we are going to use force against Cuba. I think you ought to tell the American people whether or not that is what your position is.

Senator KEATING. I am not opposed to force if that is in the final analysis what has to be done to prevent a Russian Communist base from being strengthened in the Western Hemisphere in Cuba and other nations in the Western Hemisphere.

Senator MORSE. Why don't you offer a declaration of war against Cuba?

Senator KEATING. Now, that is just the point. The Senator is a very clever advocate and very successful in trying to make someone else's views quite different from those that are actually being expressed.

I know that those who oppose doing anything in Cuba always talk about war as the only possibility. I think we have got to do something in Cuba and in that regard I am completely at variance with the distinguished Senator from Oregon.

Senator MORSE. You say you would be perfectly willing if necessary, to use force. Aren't you saying that you would favor unilateral forceful action on the part of the United States to make war against

Cuba even though our allies in NATO and in Latin America might be against us?

Senator KEATING. I don't think that we should even talk about making war against Cuba at this point.

Senator MORSE. I think it is embedded in your resolution.

Senator KEATING. I disagree with the Senator.

Senator MORSE. I know you disagree, but that is what unilateral action is bound to be if it is forceful action.

Senator KEATING. I know the Senator's viewpoint. He is satisfied to sit back and do nothing about Cuba, and I mean—

Senator MORSE. Of course, the Senator couldn't be more mistaken. I mean no disrespect in talking about putting language in people's mouths. The Senator from Oregon just happens to think you ought to follow international law and not turn our Nation into an outlaw Nation. That is the difference between us.

Do you think England has the right under international maritime law—much as I deplore it and I agree with your deprecation of it—to send their ships in Havana Harbor if they want to—much as I deplore it, and I agree with your deprecation of it? Are you going to take that international law right away from Great Britain?

Senator KEATING. They have the right at the present time.

Senator MORSE. Certainly they have. All the other countries that are sending goods in there have that right, don't they, just as we have the right to send goods into Turkey. We would fight to retain that right and I would advocate that we fight to retain that right.

Senator KEATING. We have the right to send ships in there. Any other nation has at the present time. No question about that.

Senator MORSE. Would you be willing to submit this whole question of the action that we might advocate in regard to international maritime law to either the World Court or some other branch of the United Nations in order to determine our right to impose a blockade under these circumstances?

Senator KEATING. I would be very hesitant to, as those bodies are now set up. But I would not make a positive negative answer to the Senator.

#### HAS MONROE DOCTRINE BEEN MODIFIED?

Senator MORSE. You speak about the Monroe Doctrine.

Do you think the Monroe Doctrine has been modified by any of the treaties that we have entered into with our Latin American allies since 1823?

Senator KEATING. I don't think that the Monroe Doctrine, which was enunciated by President Monroe and is not embedded in our law, and is simply a doctrine and nothing more can be modified by treaties. Perhaps the interpretation which we should put upon it when we refer to it, would have some modification in the later discussions we had and treaties we entered into with our Latin American neighbors.

Senator MORSE. Do you disagree that one of the reasons—not a controlling reason, but a good diplomatic reason—for the Rio Treaty and the Caracas Declaration was to meet objections that our Latin American allies had to the unilateral enunciation by the United States of a Monroe Doctrine without their consent and approval?

Senator KEATING. Well, I know that that was one of the factors in the minds of some of the Latin American countries. I think that

if we had envisioned what has taken place here we might have been more hesitant in ratifying some of these treaties which we have entered into.

Senator MORSE. Do you agree with me that it would be very helpful if the Foreign Ministers of the Organization of American States would meet and join in a new pronouncement of a Monroe Doctrine involving their participation in it and would use that as a basis for taking our case to the rest of the world?

Senator KEATING. I think it would be very helpful. I would not like to see it put in the form of a treaty right now, because I have in mind that at this time it would have encountered—it would encounter a good deal of difficulty in the Senate of the United States.

But I think I would welcome an enunciation by our Latin American neighbors of the importance of the Monroe Doctrine to them as well as to the United States and a restatement of it if it did not take out the essential parts that are in it now.

I would not want to concede on that.

Senator MORSE. Mr. Chairman, I assume we are under a 10-minute rule.

Chairman RUSSELL. We hadn't announced it but we had hoped to give Secretary Rusk an opportunity to testify.

Senator MORSE. I will close now. I will insert in the record at this point, I think, one of the best pieces on the Monroe Doctrine, and that is Sokolsky's column in this morning's Washington Post.

Chairman RUSSELL. That will follow Senator Keating's testimony, and I also have had called to my attention some amendments to the Mansfield resolution proposed by Senator Scott that I should have had printed in the record along with the others. Mr. Reporter, see that it appears in the record with the others.

We thank you very much, Senator Keating.

Senator ERVIN. I would like to ask the Senator one question.

My question is this: Do you agree with me on this proposition: If the Monroe Doctrine has any vitality, does it not constitute a limitation upon the doctrine of the freedom of the seas insofar as the Western Hemisphere is concerned?

Senator KEATING. I think it does.

Senator ERVIN. That is all.

Senator GOLDWATER. I just want to call attention of Senator Morse to a statement he made in a speech on the floor the other day which I think puts Senator Morse and Senator Keating in much more agreement than we might have gathered from this colloquy.

Commenting on the statement by Senator Javits, Senator Morse said,

The Senator from New York has laid stress in his discussion this afternoon on the importance of joint action in regard to Cuba. The position of the senior Senator from Oregon is that that should be tried first. Then if the members of the Organization of American States are not willing to defend freedom in the Western Hemisphere they can be sure we will not stand idly by to see American freedom go down.

As I understood Senator Keating's testimony that is precisely the order which he suggested, am I wrong?

Senator KEATING. Also the NATO, I think should be in there.

## UNILATERAL ACTION AND SOVEREIGN RIGHTS

Senator GOLDWATER. I am just referring to the Organization of American States because I heard the Senator repeatedly on this. I never have heard him advocate unilateral action as the first action.

Senator MORSE. I won't dwell on it further except to say I think the Bush-Keating resolution is very weak in this area of unilateral action without particularizing.

I think that is where it is going to get us in trouble. We fought the War of 1812 on freedom of the high seas. That is the position we took. What do you suppose we would do if Soviet Russia tried to put a blockade around Formosa?

Suppose one ship was sunk by a Russian submarine as it was trying to get into Formosa. What would your reaction be? I don't like the fact that a Communist nation has sovereign power, but it has sovereign rights and you can't take that sovereign right away by unilateral action on the part of the United States without, in my judgment, getting in serious difficulty with your allies and in the United Nations.

You cannot follow a unilateral course of action toward Cuba unless there is an aggressive course of action on the part of Cuba against our international rights. That is the flag of warning I want to raise.

Senator GOLDWATER. The testimony and evidence bears out that Senator Keating and Senator Bush have recommended that the Organization of American States be consulted and that unilateral action be the last action.

Chairman RUSSELL. I am sorry, I didn't understand the evidence of the Senator.

Senator GOLDWATER. The testimony and evidence that Senator Keating has established regardless of how the resolution might read is that the Organization of American States would be consulted first on multilateral agreement and failing that unilateral agreement under the act would be considered.

Senator STENNIS. Mr. Chairman?

Chairman RUSSELL. Senator Stennis.

Senator STENNIS. Mr. Chairman, as one who cannot be here this afternoon because of some hearings set by the Preparedness Committee which are deemed important, I would like to express the very strong hope, valuable as this colloquy is and it is very valuable, that as soon as we can hear Senator Prouty, we could hear the Secretary, at least in part.

This is going to be a rushed up affair anyway. Monday is nearly gone, Thursday morning will be here and we have to put something in writing.

Senator MORSE. I would like to suggest a procedural point. I suggest that we hear Senator Prouty with the understanding we will postpone to some other time any questions we wish to ask him. We hear him and let him make his statement and then hear Secretary Rusk.

Chairman RUSSELL. That would require unanimous consent.

Senator MORSE. I am just suggesting it informally.

Chairman RUSSELL. Very well.

Thank you, Senator Keating.

(The newspaper clippings referred to follow:)

[New York Times, Sept. 14, 1962]

## CUBA AND SOVIET ARMS

MOSCOW'S WARNING AGAINST U.S. ATTACK CALLED MOVE TO GAIN TIME FOR CASTRO

(By Hanson W. Baldwin)

The Soviet warning Tuesday that a U.S. attack on Cuba or on Soviet ships bound for Cuba would mean war may have political and military as well as propaganda effects.

## NEWS ANALYSIS

The statement may be calculated to appeal to Latin American and neutral sentiment. But it also employs the familiar maneuver of the threat of force to encourage the cautious or worried element in American public opinion and Government and to restrict U.S. policy. The power objective seems plain: it is the same one the Communists have followed since Dr. Fidel Castro took power in Cuba—to discourage or postpone any strong American action while Premier Castro strengthens his military and political position.

The U.S. economic embargo of Cuba has been ineffective in weakening Communist military and political control there. Since the invasion attempt in April 1961, Premier Castro's military strength and political control have been greatly strengthened by virtue of major Communist help.

## CASTRO HAD FEW PLANES

At the time of the invasion Premier Castro had only nine operational military aircraft, all propeller driven except three jet T-33 trainers. There were numerous Czechoslovak and Soviet small arms, about 50 Russian tanks and self-propelled guns, and some light field artillery and obsolescent anti-aircraft guns.

About 200,000 men and women had been armed and roughly formed into a people's militia, but most of these were undisciplined, virtually untrained armed hordes. There was virtually no navy except for a few small and obsolete coastal and patrol craft.

The core of the armed forces was grouped around 15,000 to 20,000 regular army and militia units, which were adjudged more dependable than the masses and were rather well trained.

The heavy supply of Communist equipment and advisers in the last 18 months, particularly in the last summer, has changed this picture materially.

Today, Premier Castro probably has 60 to 75 Soviet jet fighters and fighter-bombers, mostly Mig-17's and Mig-19's, with the pilots to fly them and the crews to maintain them. In an unconfirmed report, a Cuban Air Force pilot who defected to the United States last week said that the Soviet Union had delivered 200 Mig's to Cuba.

## MILITIA BETTER TRAINED

The strength of the militia, which fluctuates, is still estimated to total about 200,000 men, but it is far better trained and equipped. More important, the strength of the regular units, the "hard core," has increased to at least 50,000; some estimates are twice this figure.

Heavy and light equipment of all types has been supplied by the Communists. An unknown number of light and medium tanks—possibly now totaling several hundred—field artillery of light and medium calibers, some coastal defense guns, antitank weapons, radio, radar and communications equipment, truck-mounted rocket launchers, trucks, jeeps, and transportation and, most important, anti-aircraft missiles, have greatly strengthened the combat capability of the Castro forces.

The weak navy has been supplied with an unknown number of motor torpedo boats, motor gunboats and patrol craft, some of them equipped, according to President Kennedy, with surface-to-surface missile with a 15-mile range.

## RUSSIANS TRAIN CUBANS

This mass of new equipment undoubtedly has not yet been assimilated; the Cubans have not learned how to use it effectively. But they are learning and to aid them Premier Khrushchev has supplied an estimated 3,500 to 4,000 Communist military personnel, in the form of administrative cadres, maintenance



personnel, signal and communications groups, training cadres, groups, advisers, technicians, and probably a few small combat crews or cadres for antiaircraft missiles and other new weapons.

There has been considerable debate in the Congress and the country about whether such arms are "defensive," as the President said, or "offensive" in character. The debate, militarily, has only limited meaning. There is no evidence that the Cubans have yet emplaced missiles of a range to reach the United States.

There is also no evidence that they have an amphibious capability or the transport or naval shipping to export their military power to Latin America.

But nearly any weapon, as many debates at world disarmament conferences have stressed, can be used offensively as well as defensively. And Cuba has long had and has now greatly strengthened, her capability of exporting subversion, of sending small groups of well-armed men to neighboring islands or countries to act as guerrilla cadres, to stimulate revolution, to start what Mr. Khrushchev has called "wars of national liberation." And Premier Castro's aircraft have ample range to reach Florida and neighboring Caribbean islands.

#### U.S. BASE ENDANGERED

Of equal importance, the new weapons will, in time when the Cubans have learned how to use them, tend to neutralize, or at least reduce the military importance, of the U.S. Navy Base at Guantanamo and they will make a close air and sea patrol of the Cuban coast more hazardous.

There is one 8,000-foot jet strip at Leeward Point at the Guantanamo Base. Planes taking off from this strip fly over Cuban hills outside the base or skim along the coast almost as soon as their wheels are up.

Antiaircraft missiles, even if they were only comparable to the obsolescent Nike-Ajax 25-mile-range missile, could play havoc with aircraft operating from this strip. Similarly, medium-range artillery emplaced in the hills around the base could command the base itself and, more important, the naval anchorage in the bay.

Also, the missile-equipped light craft, mounting antiship missile of 15-mile range, and guns and antiaircraft missiles at key points along the Cuban coast might, in time, make a tight U.S. blockade, or even a close-in patrol, expensive or difficult.

The time has not yet arrived, and unless the Cubans are heavily reinforced by skilled Soviet cadres, it will be some time before they achieve this capability. But they are achieving it; there is no doubt that Cuba is becoming much stronger militarily and that Communist political grip over Cuba, and probably over Premier Castro, has been greatly tightened.

This, in turn, means that flexibility of action and the choice of alternative policies in dealing with Cuba are being progressively limited for the United States.

[The Washington Post, Sept. 17, 1962]

#### THESE DAYS: THE MONROE DOCTRINE

(By George E. Sokolsky)

The Monroe Doctrine was neither a treaty nor an act of Congress. It was a paragraph in an annual address, served unilaterally by President Monroe in 1823 and accepted by all nations. We were a young and weak nation in 1823 and afraid of no country.

The Monroe Doctrine arose in this manner: the Russians, on September 4, 1821, issued an imperial ukase extending the boundaries of the Russian claims along the Pacific coast to the 51st parallel, which included part of the Oregon Territory. Surrounding waters were closed to other countries. John Quincy Adams, Secretary of State, rejected the Russian claims, saying: " \* \* \* that we should contest the right of Russia to any territorial establishment on this continent, and that we should assume distinctly the principle that the American Continents are no longer subjects for any new European colonial establishments."

This became the central point of the Monroe Doctrine. The Russians backed down.

The Monroe Doctrine had no standing in international law until the Act of Havana (1940), but it was as binding as the Ten Commandments. It had no

sanction, to repeat, of treaty or act of Congress or acceptance by an international congress, but no country questioned its authority.

On July 30, 1940, the Act of Havana was unanimously approved by the delegates of 21 Republics of the Pan American Union. It provided that the American Republics, collectively or individually, might take over and administer any European possession in the New World endangered by aggression from outside. Out of this act grew the Organization of American States, which, in effect, took over the functions of the Monroe Doctrine. Actually, the Act of Havana was the first formal adoption of its principles by the Latin American countries although they had all abided by the doctrine since 1823.

Chairman RUSSELL. Senator Prouty, we would be glad to hear your views on this.

**STATEMENT OF HON. WINSTON L. PROUTY, A U.S. SENATOR  
FROM THE STATE OF VERMONT**

Senator PROUTY. Mr. Chairman, I appreciate the opportunity to appear before the joint committee on a question which is vital to the security of the United States.

I have no prepared statement, and I shall try to be as brief as possible in order that Secretary Rusk may be heard.

However, may I make it clear at the outset of my remarks that I appear not as a war hawk or warmonger but as one who sincerely believes this country must take a different course if it is to survive and prevail.

There are some of us in the Senate who genuinely feel that the Reserve callup resolution falls far short of the expression of firm will by Congress that is needed at this time. For acting in support of our beliefs, we have been labeled by some newspaper reporters in Washington as "warmongers."

These men, whose profession is founded on the bedrock of free speech and differences of opinion, are not willing to extend to others that same sincerity of motive they attribute to themselves.

This highly vocal segment of the press insisted that the resolutions we were proposing to add to the Reserve callup resolution were inspired completely by political reasons.

In addition, a Senator of the United States, speaking on the Senate floor, said much the same thing in language which was insulting, and to say the least, inaccurate. He questioned the motives of all of us who proposed amendments to the callup resolution.

Now I have been in politics long enough so that I think I am relatively insensitive to political barbs which may be hurled against me, but when my patriotism is impugned—when I am charged with playing politics with the destiny or the security of my country, I find there is kindled within me a deep fire of resentment which shall burn for a long, long time.

**EXPLANATION OF PROUTY RESOLUTION**

Now having said that, Mr. Chairman, I would like to proceed directly to the purpose behind my appearance here today.

I have placed before the Senate a resolution which represents the view I think we should take toward the world crisis. It may be a view shared by no other Senator. If this is true, so be it. I think that the times are so critical that each Senator ought to speak up

about what he thinks is best for America. Tragic to say, the old test "What is good for the country" has become "What will the world ever think of us." To be loved by other nations is fine, but to be respected is more essential.

The heart and soul of my resolution, its foundation, its very vitals—is the notion that we must take great risks now or face even greater ones later on and that the greatest risk of all is to take no action at all.

I turn now to my resolution, to its purposes and its resolves.

First it is stated that the purpose of the United States in its relations with all other nations is to develop and sustain a just and enduring peace for all.

Second, it is declared that the governments of some nations, and some areas not recognized as nations by the United States, are in fact dominated and controlled by other governments that are members of the international Communist movement.

Third, the resolution declares that an act of aggression committed by the government of any such dominated and controlled nation might gravely endanger the peace and security of the United States and the free world.

It is further declared that such an act of aggression should be recognized by the United States as the act of the dominating and controlling government and that in order to effectively protect the United States and its vital interests throughout the world, swift and decisive use of the Armed Forces of United States by the President may be necessary.

I doubt that any Senator present will seriously challenge the purposes in this resolution.

I turn now to the resolving portion of the resolution.

It is there stated that it is the resolve of Congress to protect the vital interests of the United States in any area of the world against acts of aggression committed by an unfriendly nation or by the government of any nation dominated and controlled by the international Communist movement.

It is further resolved that the President shall have authority to employ the Armed Forces of the United States as he deems necessary and shall have such other authority as he may require to protect the peace and security of the free world and the vital interests of the United States.

In short, Mr. Chairman, my resolution would authorize the President to use the Armed Forces of the free world whenever and wherever he deems such action necessary in order to protect our security.

Senator GOLDWATER. The Armed Forces of the United States. Did you say of the world?

Senator PROUTY. Of the United States is what I intended to say.

My resolution takes no completely novel approach. It is founded on at least two specific precedents, the Formosa resolution and the Middle East resolution.

The first authorized the President to employ the Armed Forces of the United States as he deems necessary for the specific purpose of securing and protecting Formosa and the Pescadores against armed attack. It further authorized him to take such measures as he judged to be required or appropriate in assuring the defense of Formosa and the Pescadores.

The Middle East resolution gave the President authority to use Armed Forces to assist any nation or group of nations requesting assistance against armed aggression from any country controlled by international communism.

With respect to my own resolution, I was told by one Senator that it did not go far enough because it did not specify a particular area which shall be defended and a particular place where troops might be utilized.

Another Senator stated that he thought my resolution went too far because it authorizes the President to declare war whenever he deems it necessary and in any part of the world.

There may well be some validity to both of these criticisms. Yet, Mr. Chairman, I presented my approach because I sincerely felt that the Reserve callup resolution was so meaningless and ineffective in a military sense as to be virtually useless.

Furthermore, I could see very little psychological value in such a resolution, because prior to its adoption the President already had statutory authority to call up 1 million reserves.

Senator STENNIS. May I ask a question, which resolution did you say?

Senator PROUTY. I am referring to the Reserve callup resolution.

Senator STENNIS. Yes.

#### THREAT POSED BY SOVIET BELIEF THAT UNITED STATES WILL NOT FIGHT

Senator PROUTY. Mr. Chairman, I think the greatest threat to peace today is a belief on the part of Russian leaders that the United States and perhaps the free world will not fight or resist in the event of a real showdown.

Indeed, Joseph Alsop reports that Premier Khrushchev told Secretary Udall that the United States would never fight. There has been no confirmation or denial of this remark from Secretary Udall, and I think we can assume that the quote is an accurate one. Certainly it is in line with other statements made by the Russian leader.

I believe that this Kremlin appraisal of the weakness of our resolve represents a danger far more grave than Cuba or the crisis in East Berlin and East Germany, and I think we have to recognize that fact.

Certainly an article in this morning's Washington Post will strengthen the Soviet leader's belief about our reluctance to take action despite anything they might do.

I refer to a statement by Chester Bowles, President Kennedy's Special Adviser on Latin, Asian, and African Affairs. Bowles was reported yesterday to have said that a military or economic blockade of Cuba could be the first step to a nuclear holocaust. At the minimum, he said, it would result in a diplomatic debacle for the United States, including condemnation as an aggressor by the United Nations.

For my own part, I am tired of our fawning and truckling to win the love of nations whose policies would lead us into the valley of our own undoing. If we permit fear to warp our judgment or to blind us to existing realities, then indeed we shall write the epitaph of liberty, freedom, and the United States.

Now, certainly, Congress ought to make it clear that Mr. Bowles was not stating a fact—a fact that will dominate U.S. policy. He was

expressing an opinion which is not shared by those who believe that we must take a position strong enough and firm enough to make the Soviets realize that we mean business.

In contrast with the views of Chester Bowles, the same Washington Post article quotes the Peruvian Ambassador as saying he presumes a majority of Latin and South American nations would support the United States if the latter concluded the security of the Western Hemisphere required a Cuban blockade.

In addition to any remarks he may have made to Secretary Udall, Mr. Khrushchev told Robert Frost that the United States is "too liberal to fight." He suggested that we would simply sit "on one hand and then the other."

Are we too liberal to fight? Are we so soft and concerned with creature comforts that we will not even tolerate the thought of war? I do not believe this to be the case.

Only a day or two after I had drafted my resolution and after it had been proposed to the Congress, I read a column by Joseph Alsop which expresses my convictions far better than I could do so myself. I think it is generally conceded that Mr. Alsop has a reputation of being an objective reporter with sources of material more accurate than those of some of his contemporaries.

According to his article, Mr. Khrushchev remarked to Secretary Udall that the Europeans will be powerless to act without the United States and that the United States will do nothing about it in the end.

As Mr. Alsop suggests, this is no laughing matter. He goes on to say, and I quote:

The American policymakers believe that Vienna and post-Vienna increases in the U.S. defense effort convinced Khrushchev that missteps at Berlin would lead to a big war.

The Europeans, or at any rate, a good many of them, now believe the opposite.

Then he continues:

A Berlin test with East Berlin forces in the forefront, which is the kind seemingly being prepared, will be a limited test at least in the first stage. These facts suggest Khrushchev is merely uncertain that Mr. Kennedy really means to defend Berlin, uncertain enough to gamble on the President's doing nothing but talk, but also uncertain enough in the other direction to wish to keep some control of events.

The question of how to remove Khrushchev's uncertainty is, therefore, urgent. Reasonable behavior, keeping talking, endlessly professed willingness to negotiate when there is nothing to negotiate, all these methods have been exhaustively tried out.

And the last part of this article, I think, is most significant—

Maybe the time has come to get angry. For example, the recent outrageous statement about Cuba and Berlin was technically unofficial. But perhaps the time has come to think about throwing this kind of thing back in Khrushchev's face, if it is ever said officially, in a way that can be thrown back as unacceptable and nonreceived.

My resolution does not specify the action that should be taken by the President in any part of the world. It mentions no nation, nor does it suggest or tell the President that he should send American troops into Cuba or anywhere else in the world. It simply authorizes him to use the Armed Forces and to take such other action as may be necessary to protect the peace and security of the United States and the free world.

## RESOLUTION PATTERNED ON FORMOSA AND MIDDLE EAST RESOLUTIONS

I have stated previously that the resolution was deliberately patterned after the Formosa and Middle East resolutions which also authorized the use of our Armed Forces for the protection of a vital interest.

The President conducts our foreign policy and commands our Defense Establishment and it is he who should decide the specifics with regard to any action we take in a given area of the world. But the hands of Congress are not tied, and I think we have to raise the question as to how long we can allow a buildup of military strength in Cuba without taking some action.

My resolution would take away nothing from the Chief Executive. Rather it is designed to strengthen his hand—designed to give him the authority he needs in dealing with the moves and maneuvers of the Soviet Union. But after all, it is the No. 1 adversary with which we are confronted at the present time.

I have a memorandum here with respect to the Latin American treaties into which we have entered during the past several years. On the basis of this memorandum, I have concluded that perhaps the United States cannot take unilateral action in the Western Hemisphere without violating some of these treaties.

Although I am not a lawyer or authority in the field of international relations, I do believe that the time has come for us to find out what the Monroe Doctrine means in terms of today's world and what flexibility it affords the President for action.

Senator MORSE. I would certainly agree with you we can if our own security is threatened.

Senator PROUTY. If we are attacked as I understand it.

Senator MORSE. The violation of our own security rights.

Senator PROUTY. There seems to be a complete difference of opinion on that among some of the experts.

I don't profess to be one and I will not take the time to put the memorandum in the record now but I will make use of it later on.

## NEED FOR A RESOLUTION

I do earnestly hope, Mr. Chairman, that the joint committee will bring forth a resolution which will be strong and meaningful. It is highly desirable that it be of such a nature as will command support from all Members of Congress. I think the reported resolution should bring sharply to focus the fact that the President of the United States, the Congress of the United States, and the American people are as dedicated to the preservation of American ideals and objectives as the international Communists are to their destruction and that any overt act of major significance by the Soviet Union or any of its puppets will bring into action the armed might of the United States and its entire productive resources.

We must so mark our course that Mr. Khrushchev knows and the world knows that there will not be just strong words—but strong words followed by strong decisions.

Like any other bully who utilizes threats and bluster, Mr. Khrushchev may well retreat if his bluff is called.

It has been said, and rightly so, that we cannot conduct our foreign policy on the principle of Sir Gallahad:

My strength is as the strength of 10, because my heart is pure.

The willingness to use power, if need be, will count for far more in this world than virtuous intentions.

In closing, may I say that I would not endeavor to tell the President of the United States what specific action he should take in any part of the world. But I do believe it is time that we served notice on the Soviet Union that while we do not seek conflict, we will not cower and slink away at the very mention of it, and that, if necessary, we will use our Armed Forces to protect our national security and that of the freedom-loving nations around the world.

Acting Chairman SPARKMAN. Thank you, Mr. Chairman.

Senator MORSE. I want to say to my good friend from Vermont I am sorry he resents my speech on the floor of the Senate so deeply. I stand on that speech. I am sure there was no shoe there that would fit his toes. If there isn't, then his toes shouldn't feel pinched.

Acting Chairman SPARKMAN. Under the unanimous consent agreement, we were going to suspend questioning of Senator Prouty until we have a chance to hear from the Secretary.

Senator Prouty, we invite you to stay with us.

Senator STENNIS. You made a very fine statement.

Acting Chairman SPARKMAN. Secretary Rusk, go ahead.

Chairman RUSSELL. Mr. Secretary, please be seated.

**STATEMENT OF THE HONORABLE DEAN RUSK, SECRETARY OF STATE; ACCOMPANIED BY WILLIAM P. BUNDY, OFFICE OF INTERNATIONAL SECURITY AFFAIRS, DEPARTMENT OF DEFENSE; AND ABRAM CHAYES, LEGAL ADVISER, DEPARTMENT OF STATE**

Secretary RUSK. Thank you, Mr. Chairman.

Chairman RUSSELL. I assume you are familiar with the various resolutions pending here and the questions that they raise. We will be pleased to have you make such statement as you think would help the committee or the two committees in arriving at a decision on these resolutions.

Secretary RUSK. Thank you, Mr. Chairman, Senator Sparkman, and members of the committees.

Secretary McNamara is involved this morning with the Italian Defense Minister on some important negotiations that will help out our gold flow. He regretted very much he could not be here.

The Assistant Secretary, Mr. Bundy, is here, if it is not possible to arrange for Secretary McNamara to be here.

Mr. Chairman, I don't have a formal opening statement. I should like, however, if it is agreeable to the committees, to make some informal comments on the matters before the Senate, before the Congress, and to advert to certain points that have come up during the course of this morning's discussion.

**VALUE OF A RESOLUTION**

The executive branch does believe it would be valuable at the present time if the Congress should see fit to pass a concurrent resolution which

would reaffirm certain underlying policies of the United States as they are brought to bear upon this present and a potential situation in Cuba.

I would make the observation, sir, that such a resolution would be helpful in direct relationship, direct proportion to the extent that it can be relatively simple and that it could reflect a very agreement in the Congress, rather than a resolution which might fail to get the overwhelming support of the Congress.

But if such a resolution could underline the elementary national security interests of the United States as a nation, if it could also reaffirm, in strong terms, the commitments of the United States and other members of this hemisphere to the special security arrangements which exist in this hemisphere, and to take note of the fact or to express the sense of the Congress that threats to this hemisphere must be met on both grounds, then I think that certain signals would go out from the Congress which would be important.

#### SIGNAL TO MOSCOW IN RESOLUTION

I have first in mind, for example, the signals that this would give to Moscow.

In the statement which the President made on September 4, there was a paragraph there which was stated in terms of no evidence, but a paragraph which was intended as a signal to Moscow.

Referring to organized combat forces in Cuba from any Soviet bloc country, of military bases provided to Russia, of the violation of the 1934 treaty relating to Guantanamo, of the presence of offensive ground-to-ground missiles or of other significant offensive capabilities either in Cuban hands or under Soviet direction and guidance.

Now, it is of some interest, although nothing on which we can place any reliance, that in the Tass statement which came out on the 11th of September, as one looks at the wording of that statement, which was harsh, and in some respects belligerent, it went to some pains to indicate that those particular elements were not involved in this Cuban picture. That doesn't mean that they can't be, won't be. But it does mean that the Soviets were sensitive to the fact that these were points that were picked out as constituting a serious threat to the United States of the sort that would raise, as the President stated it, the gravest issues.

The insistence in the Tass statement that most of the help that had been going to Cuba had been economic, the reference to the fact that bases were not needed because they have missiles in the Soviet Union that would reach the United States in any event, and the disclosure, for the first time, to the Soviet people that arms assistance was, in fact, going from the Soviet Union to Cuba, were interesting elements.

Indeed, there is some indication that this disclosure to the Russian people of arms shipped to Cuba caused considerable concern among the Russian people themselves.

In any event it would be very important for us as a nation to get the right signals to Moscow and Havana, about anything that would appear to be a serious and clear and present danger in this hemisphere to the security of this Nation or of this hemisphere.



## SIGNAL TO OTHER CARIBBEAN COUNTRIES

I think a second signal that is important to confirm is to those other countries, particularly in the Caribbean area, who may feel that the Cuban military buildup is in some sense a direct military threat to them.

Again, in the President's statement of September 4, he had those people in mind when he tried to make it clear that these arms that were going to Cuba were going to stay there, and we would take whatever action is necessary to insure that they did stay there.

## REAFFIRMING THE COMMITMENT TO THE SECURITY OF HEMISPHERE

It is, I think, also possible in such a resolution to reaffirm soberly our sense of the inter-American commitment to the security of the hemisphere. [Deleted.]

We expect about October 2, about 2 weeks' time, to have an informal meeting of the foreign ministers of the hemisphere. We do expect to discuss there what further steps can be taken in the hemisphere with respect to the Cuban question.

[Deleted.] On the assumption, Mr. Chairman, this is an executive session and I could be consulted if there were any intent to make the record public.

Chairman RUSSELL. We intend to have this record sanitized and printed. We would hope the State Department would be very frank with us but we intend to authorize you and the Department of Defense to go through it to eliminate any matter that might be detrimental.

Secretary RUSK. I would appreciate that, Mr. Chairman. [Deleted.]

## PRESIDENT'S ACTIONS TO DATE AS COMMANDER IN CHIEF

I think that as far as authorization or direction to the President is concerned and the wording of that part of the resolution, whether the sense of the Congress or an authorization, let me say, sir, that the President, as Commander in Chief, does have very far-reaching powers, and that there are certain actions which he would take under existing public commitments, I am sure, which the Congress would approve of.

For example, on August 31 at a time when two small naval vessels fired on U.S. Navy aircraft, it was declared publicly that in any such incident in the future where U.S. aircraft and naval vessels are fired upon in international waters while in the peaceful performance of their duties, the U.S. Armed Forces will employ all means necessary for their own protection and will insure their free use of such waters.

We are conducting a close surveillance of the Caribbean area, and we intend to enforce the right to conduct such surveillance, and this itself could lead to certain incidents which would involve the use of the Armed Forces of the United States.

Secondly, on general grounds, as well as specifically under the September 4 statement, it has been made clear that if the Cubans or the Soviets in Cuba attempted to move arms illicitly into other Latin American countries, or if any elements of armed forces embarked from Cuba for any neighboring countries, that the Armed Forces of the United States would be used to intercept such traffic.

Of course, if there is an attack upon Guantanamo, the President would move immediately with the forces necessary to repel that attack and to take the necessary action.

But I want to emphasize, Mr. Chairman, we do not consider that the passage of a resolution at this particular time by the Congress in any sense breaks the discourse or terminates the discourse between the Executive and the Congress on this important situation.

I would think, for example, if a situation arose in which it were necessary to make a major use of the U.S. Armed Forces against Cuba, the consequences, certainly as far as Cuba is concerned and this country and the potential consequences in other places in the world, would be so large and so significant that the President would be in close consultation with the leadership of the Congress in connection with any such move.

So that this resolution, a resolution at this time does not terminate the Cuban question so far as the Congress is concerned.

It's something which both the Congress and the Executive would be involved in over the weeks and months ahead.

#### QUESTION OF UNILATERAL ACTION

Now, on the question of how we proceed with various measures and the question of taking action unilaterally, by the United States, no nation, certainly no great nation, can ever abandon its elementary right of unilateral action if that becomes necessary for its own security.

That is something which has been recognized in the U.N. Charter, it is something which is implicit in the sovereignty of the Nation itself, and it is a most central and elementary obligation of government in any nation.

But I do believe, sir, that as a matter of procedure, we can say something more than that about this business.

We do have strong commitments to try to proceed on a multilateral basis where the security of the hemisphere is involved if we possibly can.

I think we know from the attitude of many of the American States that if circumstances arose which would make it necessary for us to act directly against Cuba, that those circumstances themselves would impel a great many of the Latin American States to support us in that action. [Deleted.]

Similarly, with respect to our obligations in other parts of the world. In a certain sense it is not possible any longer for the United States to act strictly in unilateral terms. We have 42 allies, we are engaged nose to nose with the Soviet Union right around the globe. It is almost inconceivable that that engagement could become hot at one point and not become hot at others, and at each of these points we are necessarily involved with our allies.

Therefore, if we think that we can act unilaterally we have to recognize that although we may take the action on our own decision, we necessarily involve a good many others in the action, and I do not believe, Mr. Chairman, that the circumstances which would justify to the leadership of the Congress and to the President and to the American people, a direct military action against Cuba would be such as to find us alone either in this hemisphere or in other parts of the world.

So, I think the question of unilateral action is, if I may say so, somewhat more theoretical than practical, because we will have, I am quite certain, others prepared to be with us when the circumstances are clear that we have to move in our own defense and the defense of this hemisphere.

I have not commented specifically on the texts of these various resolutions. I would hope, however, that it would be possible for the two Houses to find common language which would commend itself to the great majority of the Congress, and that action on these matters could be taken reasonably promptly. I could go into other questions, Mr. Chairman, but I think I might pause here and take up the questions and comments which you and the committees may wish.

#### PRESENT STANDING OF MONROE DOCTRINE

Chairman RUSSELL. Mr. Secretary, is it the policy of the United States now to consider the Monroe Doctrine discarded in favor of the Organizations of American States, NATO, and the other multilateral agreements that we have entered into all over the world?

Secretary RUSK. No.

Chairman RUSSELL. Is it discarded or strictly circumscribed?

Secretary RUSK. Mr. Chairman, I think the proper answer to that question would be that the Monroe Doctrine was once an important instance of the assertion of the national security interests of the United States. That national security interest still obtains, and the Monroe Doctrine still is a part of our approach to our national security interests here in this country and in this hemisphere.

But, in terms of carrying it out, I would say that we ought to make the most strenuous effort to carry it out with the association of those who have joined with us for the security of the hemisphere, and I would put very high priority on solidarity of the hemisphere, if possible, without ultimately surrendering in any way the elementary character of our own national interest if it comes to that point.

So, I would say it has not been abandoned. The method of carrying it out has been altered, perhaps both by circumstances and by agreement, but it is still an elementary part of our own national security interests.

Chairman RUSSELL. You think it is as fundamental then as the law of self-defense is to the common law?

Secretary RUSK. Yes, sir; I do.

Mr. Chairman, perhaps I might add that even the terms of the Monroe Doctrine were not in any realistic sense a unilateral venture in policy.

Had it not been for the quiet assurance that the British Fleet was in direct support of that policy, that policy might not have survived as long as it did.

Chairman RUSSELL. That is true, but later on it was in a way invoked against England itself.

Secretary RUSK. That is right.

Chairman RUSSELL. So while it was generated by some difficulties we had with Russia we did refer to it and invoke it and threaten war on England in support of the Monroe Doctrine and the British recognized that. I have forgotten just when and where it was—

Senator ERVIN. Venezuela.

Secretary RUSK. That is right; the Venezuelan boundary dispute.

Chairman RUSSELL. Cleveland was President.

#### NATURE AND EFFECT OF BLOCKADES

Is a military blockade still recognized as an act of war under international law?

Secretary RUSK. The Legal Adviser of the Department is here, and you might wish to have a little more detail from him than I am perhaps able to give, but I would say this about blockades: that war normally involves the application of a blockade, so we can say that to start with.

Secondly, blockade is an act of force which, if not accepted by the other side, would be interpreted and approached as an act of war.

Now, it is possible to declare what has been called a pacific blockade. All that a pacific blockade is is an announcement by the blockading party that these steps you are taking are all that you have in mind. If the other sides refuses to accept that measure, it is an act of force which would be interpreted or could be interpreted as an act of war.

So that I would think, as far as the United States is concerned in regard to Cuba, and given the involvement of the powers in that situation, that if we decided to institute a blockade we would have to accept the fact that we were using an act of force against the shipping of other great powers.

Chairman RUSSELL. I am out of my field in discussing the niceties of international law because I am not on the committees that deal with it. I have read a great deal of history, however, and I remember that many people who were writing in the period criticized Mr. Lincoln for using the word "blockade" against the Southern States because that implied a recognition that they enjoyed a belligerent status and it was one of the high hopes of the Confederacy to get recognition from the British, which never did come, very fortunately.

#### PRESIDENT'S AUTHORITY TO SEND ARMED FORCES ABROAD

I have been greatly concerned about one thing that runs through all of these resolutions and is implicit in them. I am well aware that the President of the United States has on more than 100 occasions utilized our Armed Forces on foreign soil without the approval of Congress.

I think you were in the State Department when that documentation was prepared. It is very interesting; I haven't seen it for years.

Secretary RUSK. Yes, sir.

Chairman RUSSELL. But I don't like the implications of one line of Senate Concurrent Resolution 92 on page 2, line 3, where it says:

The President of the United States is supported in his determination and possesses all necessary authority to prevent by whatever means may be necessary, including the use of arms.

That is a clear delegation of the congressional power to declare war—

Senator SYMINGTON. Mr. Chairman, I am sorry, I can't follow you, is this Senate Concurrent Resolution 92?

Acting Chairman SPARKMAN. Yes; it is in there. It is in both.

Chairman RUSSELL. Look at the resolving clause itself in both of them.

Senator SYMINGTON. Thank you.

Chairman RUSSELL. Page 2, line 3. Now, that implies that the President possesses the authority to declare war and I don't think we ought to resolve that question here in this resolution or raise that constitutional question.

Why wouldn't it be preferable to use the same language we did in the Formosa resolution that the President of the United States be and he hereby is authorized to employ the Armed Forces of the United States that he deem necessary, and so forth. To effectuate these purposes. Congress has gradually been lapsing into a secondary position but couldn't we accomplish the same purpose by authorizing the President to do these things instead of just stating that he has the authority to declare war, to engage in war?

Secretary RUSK. Mr. Chairman—

Chairman RUSSELL. Wouldn't that support him more strongly for us to say that he is hereby authorized?

Secretary RUSK. It seems to me that quite apart from the language, the President and the congressional leadership would certainly, in the absence of an overwhelming attack by the other side, be in consultation about the necessary actions to be taken.

I would have to check the record on this, but my recollection is, Mr. Chairman, that at the time of the Korean attack, the President did consult with congressional leaders and it was the view of the congressional leaders that the Congress should not be asked for a resolution on authorization, and in that situation, the powers of the President were fully relied upon to undertake the resistance in Korea.

I would suppose that—

Chairman RUSSELL. That was done through the use of the United Nations, though, was it not—which we don't have in this case?

In Korea we depended on discharging our treaty obligations under the United Nations with respect to Korea which put it in a somewhat different position.

Secretary RUSK. Yes, sir. I would need to consult with my own colleagues very carefully and with the President about trying today to rule as far as I can see on the President's powers.

Now, under the Rio treaty, for example, you have a similar situation to that of the United Nations Charter, and I would hope that before the bill is marked up that there is a clear desire on the part of the committees to include language of that sort that I have an opportunity to discuss the constitutional question with the President.

Chairman RUSSELL. If you will pardon an aside, we would have been saved a great deal of trouble if congressional approval had been requested the morning after we put that pathetic battalion in Korea because it would have been granted unanimously and we wouldn't have had a political issue that has been going around ever since then.

I feel very strongly it is preferable to say he is authorized instead of that he possesses all the necessary authority.

I don't think it could have the slightest effect on any action he could take.

Acting Chairman SPARKMAN. May I interrupt at this point?

Chairman RUSSELL. Yes, indeed.

## WORDING OF THE RESOLUTION

Acting Chairman SPARKMAN. We might ponder this suggestion which has been handed to me.

Change the resolve part to read as follows:

*Resolved*, That it is the sense of the Senate that the President of the United States should use all appropriate means, (a) to prevent the Castro regime—and so forth.

In other words, cut out this language right here.

Senator JACKSON. Why confine it to Castro?

Acting Chairman SPARKMAN. That just happens to be the wording in this resolution. To get around the point that you are making, in line 2 of the resolving clause, strike out "be supported in his determination and possesses all necessary authority," and instead say, "should use all appropriate means," to do these different things.

Chairman RUSSELL. That is a matter of semantics.

Acting Chairman SPARKMAN. It is something for us to think of.

Chairman RUSSELL. Appropriate means or he is hereby authorized. I like the authorization better because it is more definite and direct, and it reflects a feeling of the Congress, a determination of the Congress not to let this cancer consume nations of the Western Hemisphere.

I yield to the Senator from Washington.

Senator JACKSON. Mr. Secretary, it seems to me there are two parts to this problem.

One is, of course, the President can send all kinds of signals by his statements and declarations. I think what we seek here is a signal from the Congress that it is unequivocal, clear, firm, and determined; is it not?

Secretary RUSK. That is correct.

Senator JACKSON. Where we get lost is where we get into semantics and so on, and I think Chairman Russell's suggestion is a sound one here, where we authorize the use of the Armed Forces which is as clear a signal, at least it was clear in the Formosa Straits when it happened and they got the signal and got the message and I think that is our mission and nothing else.

Chairman RUSSELL. It removes any debate over the constitutionality caused by the statement he possesses the necessary authority.

Senator SYMINGTON. Mr. Chairman, I would like to associate myself with your thoughts on that matter.

Senator THURMOND. Mr. Chairman, I would like to associate my thinking with yours on this point, too.

Senator HICKENLOOPER. Mr. Chairman, I want to raise these questions now.

## PLATT AMENDMENT AND THE MONROE DOCTRINE

I don't like the declarations in the Mansfield amendment. I don't think they necessarily go to the points at issue. I would like to ask the Secretary what the situation is with regard to the Platt amendment on Cuba that was adopted a good many years ago and abrogated in 1934?

It runs in my mind that the Platt amendment said that we reserved the right to go into Cuba at any time that either our interests or the

independence of the Cuban Government was endangered. I ask, are you prepared to discuss that at the moment.

Secretary RUSK. I could not discuss it in detail, but the essence of the problem as you suggested, Senator, would authorize the United States or rather the United States retains the right—

Senator HICKENLOOPER. Retained the right.

Secretary RUSK. To intervene in Cuba to insure, in effect, a republican form of government.

Senator HICKENLOOPER. That is right.

Secretary RUSK. And in 1934, as a consequence of the discussions in connection with the good neighbor policy, that was eliminated, but the Guantanamo base aspects of the earlier treaty with Cuba were retained.

Senator HICKENLOOPER. Yes.

Chairman RUSSELL. I hadn't concluded, Senator.

Senator HICKENLOOPER. I am sorry.

Go right ahead.

Chairman RUSSELL. I hadn't concluded.

I had feared that the Monroe Doctrine was a casualty along with the Platt amendment, of the good neighbor policy and OAS and that is the reason I asked the Secretary that specific question.

#### DIPLOMATIC PRESENTATIONS TO NATO AND OAS MEMBERS

Mr. Secretary, I think that the members of this committee would like to know just what steps are being taken to mobilize public opinion among the NATO countries, they were brought in here today, and among the Organization of American States.

I raised a question the other day about American-owned ships under the Liberian flag engaged in commerce with Cuba. I have a copy of the Liberian regulations here and they already have a regulation that reads as follows:

In accordance with the national interests of Liberia it shall be unlawful without the approval in writing of the Commissioner of Maritime Affairs of Liberia, or any one of his authorized agents, to sell, charter, lease, or deliver any vessel documented under the laws of Liberia for the carriage, either directly or indirectly, of arms, ammunition, implements of war, atomic energy material, petroleum, transportation materials of any strategic value, and items useful in the production of arms, implements of war to or from the Union of Socialist Republics, Latvia, Lithuania, Estonia, Poland, Czechoslovakia, Hungary, Bulgaria, Albania, Rumania, the Soviet zone of Germany, North Korea, North Vietnam, and Manchuria.

While I believe you said only four Liberian ships were involved, any time we can stop one we can increase the pressure on the Cubans and the Russian Communist masters there.

What progress are we making with our diplomatic efforts?

Secretary RUSK. We have taken up the question with other governments in NATO. [Deleted.]

Also I think it is correct to say we have been very strongly supported in those efforts by the known concern of the public opinion here and the Congress with respect to NATO-flag ships and I suspect the very fact they have accepted the preoccupation of the American people with this issue has greatly reinforced and helped our diplomatic effort.

Now, the principal difficulty about this is that so far as we can learn, practically no ships are chartered for the Cuba trade. They are chartered on a bare bottom, long-term basis, maybe some of them running as far as 5 years, to, say, the Soviet Union.

If these ships, for some reason, were to be drawn out of the Cuba trade but remained chartered to the Soviet Union, then the Soviet bloc would divert its shipping into the Cuba trade and use these chartered ships for intra-bloc shipping; so this is immediately involved with the problem of almost a total economic break with the Soviet bloc and Western Europe. [Deleted.]

Since July, since these shipments to Cuba have greatly stepped up the problem and the concern about it, this question has not been directly related yet to the contingency planning with respect to Berlin. [Deleted.]

You perhaps saw the press report that an Italian ship did not sail today because its crew would not take it into the Cuban trade.

#### SHIPS INVOLVED IN CUBAN TRADE

In other words, this idea is making some headway. I would add, however, two things which are not fully helpful, but help to this extent: We have not yet been able to determine that any NATO-flag ship is involved in arms and munitions of war so far as Cuba is concerned, and secondly, we have not found any American-owned ships under Liberian or Panamanian charter engaged in the Cuban trade.

In other words, we are trying to close in on this from every direction.

Chairman RUSSELL. You mean in the Cuban trade or carrying arms and ammunition?

Secretary RUSK. No, in the Cuban trade, American-owned ships under the Liberian flag.

Chairman RUSSELL. I had read in the press where ships both under Panamanian and Liberian registry had gone into the Cuban trade.

Secretary RUSK. We inquired into that some time ago and our best information now is there is no American-owned ship under Liberian or Panamanian flag engaged in that trade. [Deleted.]

#### STIFFENING LATIN AMERICAN ATTITUDES TOWARD CUBA

Chairman RUSSELL. This may have to come out of the record, too, but I assume you have been in consultation from time to time with the representatives of the other nations of this hemisphere on this subject?

Secretary RUSK. Yes, we have, sir. And I will be meeting the foreign ministers at the end of this month to take up with them what further steps beyond Punta del Este we could take with a solid majority of the hemisphere.

(The following information was subsequently furnished:)

[Department of State—for the press, Sept. 18, 1962, No. 566]

#### FOREIGN MINISTERS OF AMERICAN REPUBLICS TO MEET INFORMALLY

The Foreign Ministers of the American Republics have been generally receptive to the suggestion which Secretary Rusk made on September 5, through the Latin American Ambassadors in Washington, that they hold an informal meeting to exchange views on subjects of mutual interest.



On the basis of the Secretary's consultations with his colleagues, and taking into account the wishes and convenience of the largest number, the Secretary has issued invitations to them to meet informally in Washington on October 2 and 3. The Secretary hopes that the dates chosen will make it possible for most of his colleagues to come. In addition to the Foreign Ministers, the Secretary General of the OAS has been invited to attend.

The meeting will be informal. It will provide the opportunity to exchange views. The sessions will be closed. There will be no formal agenda, voting, official minutes, or resolutions. We expect that the situation in Cuba and other subjects of mutual interest will be discussed.

Chairman RUSSELL. Do any of them seem to be more impressed now with the danger of the situation in Cuba than they were at the time of Punta del Este?

Have you made any progress?

Secretary RUSK. There has been some change in opinion which was the trend followed at Punta del Este. [Deleted.]

So we are hopeful there that some further movement can in fact be reported and some further action be taken.

#### QUALITY OF INFORMATION ABOUT CUBA

Chairman RUSSELL. What do you think about the quality of the information we have about what is really taking place inside Cuba. We have been deceived in that area before, we were before the invasion, and I just wondered if we have improved our means of getting information in Cuba on which we could risk the security of this country.

Secretary RUSK. I think that this varies somewhat with the type of information.

In connection with such things as missile sites, for example, the ground-to-air antiaircraft missiles, we do have very firm information indeed. [Deleted.]

Chairman RUSSELL. You mean as to the nature and the capacity of the sites?

Secretary RUSK. Yes, sir: I think we have very good information on that. [Deleted.]

In terms of political information, we do need to get more than we do. [Deleted.]

We do not have as much information as we should like about the political attitudes and the effect upon the Cuban people of the stringencies which they have been facing in the last several months, and to an increasing degree. [Deleted.]

On a strictly military side, I think we have quite firm information on the specific elements of armaments that are going into there.

Chairman RUSSELL. I don't like to get too deeply in this, because I realize it is a sensitive area.

#### SOVIET SPECIALISTS IN CUBA

On what do you base your conclusions that there are more agricultural specialists than missile specialists from Russia in Cuba?

I read somewhere or we heard, that there were more agricultural specialists than military specialists. I just wondered on what you base, you reached that conclusion?

Secretary RUSK. I believe, sir, there recently has been—was a statement in the Tass statement. I think the figures on specialists, Mr. Bundy, did you have the latest figures on that?

Mr. BUNDY. [Deleted.]

Chairman RUSSELL. How can we determine what he is doing, Mr. Bundy? We get such scanty information over there, how can we tell whether he is teaching them to build a powerline or whether he is teaching them to engage a radar set so as to fire missiles against the United States?

Mr. BUNDY. I don't think we can be sure of that, Senator. [Deleted.]

Chairman RUSSELL. Is there any truth in the news stories that these people tend to live in colonies, these foreigners?

Mr. BUNDY. Yes, sir; I think they do, sir.

Secretary RUSK. That has been a pretty general pattern throughout the world, particularly when they are in substantial numbers.

Senator SYMINGTON. Mr. Chairman, will you yield for one question?

Chairman RUSSELL. Yes.

#### DEFENSIVE OR OFFENSIVE BUILDUP IN CUBA

Senator SYMINGTON. The premise of the position the United States takes is that it is a defensive military development in Cuba. As one who has followed the missile problems for some years, the Matador range was hundreds of miles, and could be fired from a truck. The Snark was thousands of miles in range and did not need a base.

The Soviets for many years have had thousands of missiles from 250 to 1,100 miles.

How do we know that this is essentially a defense buildup? It would be difficult for anybody to find out what type and character of missiles we had on, or off, a launching pad if we wanted to make it so.

Are we perhaps overemphasizing the defensive nature of the military equipment given by the Soviets.

I would appreciate your commenting on that.

Secretary RUSK. Well, Senator, the statements made thus far turn upon what we consider to be very accurate information.

Now, it is entirely possible that other type missiles, without new heavy installations, could be brought in, but I think the chances are very high that we would know about it.

Senator SYMINGTON. If the Chair would yield, we had a ground-to-air missile with a range of 400 miles, 180 miles beyond Miami from Cuba, and unquestionably, if we had pursued the Bomarc we would now have a ground-to-air missile of more than 400 miles.

There is no problem in making such a missile, a ground-to-ground missile, if that is wanted. So the emphasis on the limited range characteristics of a defensive missile worries me.

Secretary RUSK. Senator, I will ask Mr. Bundy to comment on that, but I wanted just to indicate that we were talking about the identification of the actual type missile itself when we are talking about the ground-to-air missiles.

Mr. BUNDY. I would simply underscore that in effect, Senator. The missile is firmly identified, with first-rate eyewitness evidence, as the SA-2, the so-called guideline, which is an older Soviet missile on which we have a great deal of information of its characteristics and the range of that missile, the range at which it can hit another airplane is about 25 miles.

Now, this whole question of offensive-defensive is, of course, a line of degree. No piece of hardware is without some offensive capacity. The point we have been making and I think Secretary McNamara has underscored in briefing both these committees and the House committees is that you don't have a significant addition to the offensive capacity by what has gone into these latest buildups.

Senator SYMINGTON. Thank you, Mr. Chairman.

Chairman RUSSELL. Senator Sparkman?

Acting Chairman SPARKMAN. Mr. Secretary, I don't believe I will ask questions at this time. I am going to go back to some of the wording of the resolution. I think I will wait until a later time.

Chairman RUSSELL. Senator Stennis, do you have any questions of the Secretary?

Senator STENNIS. I thank the chairman. I would want to say one thing.

Mr. Secretary, I wanted to ask you what success you had had with our NATO Allies and others in working on this matter but Senator Russell's question, I think, virtually covered that. [Deleted.]

The people are disturbed, I think, in all areas of this country. I don't know what your information is on it, but they need something reassuring. With all deference to Mr. Bowles, and his position, his speech did not help one bit yesterday; in fact, I think it hurt his cause. I say yesterday because that is when I read about his speech.

Do you think the situation in Cuba is less threatening than it was a year ago, I mean, to our side or to our security?

Secretary RUSK. No, sir.

Senator STENNIS. No.

Secretary RUSK. I do not think so. I think that you may wish to have military testimony on what the military requirement would be in the light of this particular buildup, and that is not a formidable addition to the military requirement for Cuba before, say, July.

It is some addition but not much, in terms of the preparatory steps that would have to be taken.

#### ECONOMIC SITUATION IN CUBA

Senator STENNIS. Now, briefly, and I don't want to take up a lot of time here, even as much as 10 minutes, but is the economic situation in Cuba, increasingly worse or better? What is your information on that, say, as compared to a year ago?

Secretary RUSK. Well, the President alluded to that in his last statement.

Senator STENNIS. Yes.

Secretary RUSK. But our information is that the economic situation there is significantly worse than it was a year ago.

Senator STENNIS. Isn't there considerable economic support coming in? This was really the question I wanted to ask you about.

Secretary RUSK. There has been some support. I believe that our figures on Soviet direct aid has been in the order of \$100 million on the economic side, but nevertheless, we know that there is a significant drop in sugar production, that the factories are dropping in their production, that rationing has gone into effect. We know that the Cubans have allocated only a million dollars of their foreign ex-

change for medicines whereas their normal intake is around \$20 million of medicines. We know, for example, that Canada last year exported about \$32 million to Cuba, and this year Canadian exports will be about \$6 or \$7 million.

In other words, there are various indicators that show that the economic situation in Cuba is much more stringent, and we get information [deleted] that severe rationing is making an impact, and this is creating almost an unparalleled situation on the island itself.

Senator STENNIS. Well, it just occurs to me that if the Soviets are really going to let them sag and go hungry, so to speak, from an economic standpoint, it really doesn't mean business, then, in trying to put arms in there or build them up any appreciable amount militarily.

What is your reaction to that thought, the contrast between the economic downgrading and the military upgrading of strength?

Secretary RUSK. I think, sir, that the Soviets have been under the most urgent pleas and pressures from Castro for substantial amounts of aid of every sort. My guess is also that the Soviets have hoped they would not have to put in a great deal of economic aid in those categories in which they themselves are short.

For example, foodstuffs—we know they have been upset by the effect of mismanagement in Cuba in just this field.

They have a good many technicians in there now and I suppose they will be trying to reorganize production to try to meet that situation.

Their aid to Cuba, and more particularly also to countries like Egypt, Iraq, Indonesia, has created some strains between them and Peiping, Peiping having insisted that they have first claim on anything the Soviets can provide.

Senator STENNIS. Yes.

#### DISCUSSIONS WITH LATIN AMERICAN COUNTRIES

I was going to ask you what we were actually doing toward rounding up action as well as attitude for our interest. [Deleted.]

You say you are going to meet with these Latin American states at the end of the month.

Don't you also have activity going on now among them to meet this situation in some way other than unilaterally?

Secretary RUSK. We are discussing the matter with a number of these governments in anticipation of that meeting at the end of the month.

I called in the ambassadors not long ago to give them full information, and we do see individual ones.

(Discussion off the record.)

Senator STENNIS. You say you are more encouraged by them here recently. What is the reason for that?

Secretary RUSK. Because I think, sir, they feel the same kind of concern that the rest of us feel about what has been happening since July in Cuba and realize this is a growing threat.

Senator STENNIS. And realize the threat is against them?

Secretary RUSK. Yes.

## COMMENTS ON AMBASSADOR BOWLES' STATEMENT

Senator STENNIS. Reverting to Mr. Bowles' statement just one more time, it seems to me that it is very unfortunate to take that approach. I just express the hope that something more tangible could be told without the scare stories, so to speak, that went with those statements.

I believe that is all.

Secretary RUSK. I believe it is possible the committee might wish to have his full statement. Certain sentences were used in the press to the exclusion of others. You might want to have the full statement.

Chairman RUSSELL. All right, we will be glad to print it in the record if you wish, but I certainly agree with Senator Stennis that such parts of it that got out only tended to increase the fear and trepidation and suspicion of the American people they were not being told the facts about the situation in Cuba.

Senator STENNIS. Yes, that leaves us in an apparent attitude of fear, and our adversaries know that as well as our own people as far as I see.

That is all I have, Mr. Chairman.

(The document referred to follows:)

[Department of State—For the press, for release at 8:30 p.m., Sept. 16, 1962—No. 559]

## TOWARD A NEW "REALISM" IN AMERICAN FOREIGN POLICY

Address by the Honorable Chester Bowles, President's Special Representative and Adviser on African, Asian, and Latin American Affairs, at the golden jubilee convention of Hadassah, Pittsburgh, Pa., Sunday, September 16, 1962

I am deeply honored to join with you at this golden jubilee convention of Hadassah.

Yours is a long and distinguished record of support for human dignity and social welfare both at home and abroad. May your second half century be as full of achievement as your first. Your dedication and wisdom will be urgently needed in the years ahead.

When I received your invitation to speak here tonight, my first thought was to focus my remarks on developments in the Middle East, a region which I visited earlier this year.

In my opinion, however, we are approaching a crisis in our dealings with the world that threatens to divide our people and which goes to the very heart of our democratic society. For this reason it occurred to me that a broader discussion of foreign policy questions might be in order.

It is not surprising that the extraordinary complexity of world affairs has created a sense of creeping frustration among many Americans.

We are faced with a challenge that goes far beyond the well publicized competition in armaments and in cold war maneuvers. It is in fact a confrontation between two different kinds of society that involves competing concepts of education, industrial development, science, living standards, culture, and indeed of the very meaning of life.

Although the outcome of this deeper, longer range competition will ultimately determine the nature of tomorrow's world, the pressures of crises such as Berlin and Cuba, the awesome escalation of nuclear weapons, and the current angry exchanges between Moscow and Washington make it difficult for all of us to keep our perspective.

It may therefore be useful to consider the challenge in terms of the critical factors which, singly and in combination, will shape tomorrow's world:

These include the development of the Soviet Union as a major industrial and military power under tough-minded, highly centralized political management;

... the replacement of the old China by a vital, centralized Communist state on the mainland, desperate for economic progress and bitter at past humiliations by the West;

... the rapid development of a new nationalistic and largely unified Western Europe allied to the United States, but increasingly capable of forming a third force in world affairs;

... the collapse of European colonialism and the dramatic awakening of Asia, Africa, and Latin America, with the resulting creation of potential political vacuums of vast proportions;

... an unprecedented explosion in science and technology that has opened up infinite opportunities both for material creation and for destruction;

... the coming of age of the United States of America at the height of its industrial and military power, pledged by tradition and current belief to the cause of human freedom and betterment, but confused by the immensity of its sudden responsibilities and opportunities, and frustrated by conflicting judgments as to how best to meet them.

This frustration is reflected in the charge, by some Americans, that our foreign policy is not sufficiently "practical," "hardheaded," or "realistic" to cope with the problems we face.

More precisely, it is said that we pay too much attention to the underdeveloped countries; that we should support willy-nilly any government that agrees with our view of world affairs, regardless of its own internal policies; that we are wasting our money on foreign aid; that all we need to assure the peace is bigger and better missiles; that we aren't nearly "tough" enough with the Russians; that the U.N. is nice in theory but hopelessly ineffective in practice; that we must stop the Communists with "force" since force is the only thing they understand; and that those who see the world in less simplified terms are pussyfooters, pinks, and cowards.

Such thinking, in my view, is rash, uninformed, and dangerous. If allowed to go unchallenged, it can draw us into games of Russian roulette and nuclear "chicken" which may play directly into the hands of our adversaries, and which ultimately can lead to a world catastrophe.

Let us consider a current example—Cuba.

Although those who now urge us to take direct military action against Cuba are expressing a frustration which all of us feel, frustration has never been accepted by historians as an adequate excuse for folly.

The President made it clear at his Thursday press conference that he will act promptly and vigorously if the Soviet trained and armed Cuban forces threaten Cuba's neighbors, our naval base at Guantanamo, the approaches to the Panama Canal, or U.S. security generally.

Of one thing we can be certain: Sooner or later the Cuban people will regain their independence. Their devotion to freedom has been amply shown through a century of heroic resistance to oppression. In time they will throw off the present despotism as they have its predecessors.

But if under present circumstances we were to follow the urgings of the extremists and to attack Cuba, we would do irreparable harm to the cause of freedom. We would undercut our influence in world affairs, blacken our reputation in the U.N., and forfeit our traditional claim to moral leadership, while destroying thousands of young lives in the process.

Would such action lead to world war III? Although no one can be sure, I am inclined to doubt it. The recent Soviet message added some convenient loopholes in fine print.

What it *would* do is to set the stage for sweeping Soviet victories in the critically important fields of diplomacy and politics.

With pious protestations of patience in the face of "grave U.S. provocation," Soviet spokesmen in the United Nations would charge us with blatant aggression, and very likely they would win majority support.

We could then expect to see a rising tide of U.S. resentment against the United Nations, still greater national frustration, a further lessening of our influence in world affairs, and mounting pressures for new military adventures.

If we are to maintain public support for a more rational approach, we must create wider understanding of the factors that are most decisive in international affairs: The true nature of power in today's revolutionary world; the influence of people and the ideas, hopes and fears that move them; the weaknesses as well as strengths of our adversaries; and the catastrophic consequences of nuclear war.

Against this background, let us consider the essential ingredients of an effective American foreign policy, each reduced to its simplest terms. I suggest the following:

1. A deep national dedication, reflected in all that we do and say, to the creation of a more rational and peaceful world.

2. An awareness of the limits of unilateral action—political, economic, or military.

3. An ability to understand the mood of peoples of different cultures and environment, and a willingness to work with them to create common action on the widest possible range of subjects.

4. The military capacity to inflict devastating damage on our adversaries if they should attack us, to cope effectively with local aggression wherever it occurs, and the will to use our military power to protect our vital interests.

5. An understanding of the awesome dangers of the growing nuclear arms race and a willingness to negotiate with our Communist adversaries in good faith for an international control agreement with adequate safeguards.

6. Skill and patience in dealing with friends, neutrals, and adversaries, keeping in mind not only our own interests but also their own, refraining from placing our opponents in impossible situations, always leaving a door open for peaceful adjustment.

As we consider these requirements, we can be sure, at least, of one thing: A temperate approach of this kind will fail to satisfy the hot-blooded and hot-headed minority of Americans who seem to assume that with more energy and more weapons we can "solve" our international problems as a doctor cures a disease.

Such men are persuaded that life is based on power, and that in the use of power anything goes. With Voltaire they believe that "God is always on the side of the heaviest battalions."

In a sense, they echo the outlook of that notorious cynic, Joseph Stalin, who dismissed the Catholic Church with the question: "How many divisions has the Pope?"

No thoughtful man doubts that the development of U.S. foreign policy and the conduct of our relations with other nations in this jungle world of ours is inherently a tough-minded business.

Yet even the most casual reading of history will show that those who have placed their faith in a narrowminded concentration on military power, and who have remained insensitive to forces which move men to fight or work or believe, have proved to be wrong far more often than right.

Indeed recent history is replete with examples of the military and diplomatic dead ends into which these self-styled "realists" have led themselves and their nations.

For instance, immediately following World War I the then current crop of "realists" launched a bitter and successful attack on the "visionary" Woodrow Wilson and the League of Nations.

As a result, we found ourselves committed to a generation of isolationism, and, precisely as Mr. Wilson has prophesied, the world was condemned to a ghastly repeat performance of the "war to end all wars."

In most recent years, the tragic limitations of the "realist" school of thought have been apparent in regard to developments in Asia and Africa.

In postwar Britain for instance, representatives of the realist school asserted that if the British withdrew from India, Pakistan, Ceylon, and Burma, and the "irresponsible natives" were left to handle their own affairs, these countries would promptly fall apart and become easy pickings for the Communists.

Fortunately for us all, this particular group of realists failed to get their way. More sophisticated British leaders, sensitive to the *true* realities of the new postwar world, moved peacefully and creatively to liquidate Queen Victoria's empire upon which the sun never set; while the newly free nations proceeded to demonstrate not only a surprising capacity to govern themselves but an even more surprising desire to associate themselves in many important ways with their former colonial masters.

Nowhere was the sterile thinking of the British "realists" more tellingly refuted than in India. Gandhi's concept of freedom through nonviolent action fitted the temperament and aspirations of the Indian people.

It was his simple techniques, applied with supreme political skill, that eventually forced the British to leave India as *rulers*—and allowed them to return as *friends*.

I do not suggest that such techniques are applicable in dealing with a ruthless totalitarian adversary. But they fitted India, Gandhi, and the British; and for this reason, they worked.

The "realist" school of public policy also had its French chapter in Asia. Under its influence, a succession of postwar French governments adopted policies in Indochina for which we are all still paying a heavy price.

By attempting to maintain a colonial foothold in Asia under impossible political and geographic conditions, the French "realists" managed to create what thoughtful men feared most: a united front of southeast Asian anticolonialists, nationalists, and Communists.

The result was the success of the Vietminh war of "national liberation" against France, despite \$3 billion worth of American military aid and the courageous efforts of one of the best professional armies in the world.

The disaster in Indochina taught these realists nothing. It was they who made it impossible for the French Government to negotiate a reasonable settlement in Algeria—until years of bloodshed had tragically washed away many of the ties binding Frenchmen and Algerians together.

An even more dramatic example of the bankruptcy of the professional realists may be seen in the contrast between Soviet and American experience in Europe after World War II.

While we "softheaded" Americans were pouring billions into rehabilitating both our allies *and* our defeated enemies, the "hardheaded" Russians under Stalin were pillaging all of Eastern Europe and carting off everything that could possibly be moved.

Now, 15 years later, the United States—having long ago ceased aid to Europe—is doing a \$7 billion a year export trade with Western Europe; our former enemies, the West Germans are now among our best customers and firmest allies.

The Russians, on the other hand, are now frantically pouring back the capital which they had previously removed in a desperate attempt to place their unhappy satellites on a more solid economic and political footing.

Not only has the U.S.S.R. failed to win lasting allegiance to communism among their conquered peoples; they have failed to develop trustworthy military allies among these embittered populations. Indeed, they were forced a year ago to build a wall bristling with barbed wire and tommyguns to keep "their" Germans from leaving en masse for the West.

In view of this record, we may properly ask what constituted true realism in terms of postwar policies toward Europe—the savage negative approach of the Communists or the cooperative, partnership approach of the United States?

The lesson of these examples should be clear: A *truly* realistic policy must be based not solely on stockpiles of military hardware, but on the power of *people* and the power of *ideas*.

These are the forces of decisive strength through which hundreds of millions of people, eager for greater opportunity and freedom, can be organized into movements capable of bringing impossible pressures upon *status quo* governments.

This power is underscored by the fact that in the last 15 years one-half of the people of the world have managed to change their form of government although preponderant military "power" lay in the hands of the supporters of the *status quo*.

Does this mean that military power has suddenly become unimportant? Not at all.

It means that military force *alone* cannot produce a peaceful, rational solution to political problems. This is the meaning of the Nationalist failure on mainland China, the Soviet failure in Eastern Europe, the debacle at Suez, the French defeat in Indochina, and the 8-year tragedy in Algeria.

As long as ideas influence the minds of men, and as long as men and their aspirations are a major component of power, ideas—both good and evil—will continue to upset nations, defy armies and write history.

No one has put this concept more clearly than Adm. Alfred Thayer Mahan, America's great naval strategist. "The purpose of military power," Mahan asserted, "is to provide time for moral ideas to take root." The recognition of this essential dimension of power is, I believe, *the new realism*.

Now we come to the crucial question: Can we Americans afford to follow the cynics of our era who discount the power of people and ideas and ask how many battalions has the Pope?

The United States of America was created out of a faith in people and principles. Those who would have us abandon this faith would leave us weaker in maturity than we were at birth.

Let us face the facts: Today, heavy laden with all the ornaments of power, we are being pressed by a frustrated, misinformed minority to abandon those very traditions which in the days of our Nation's infancy made us unique and beloved.



If we look closely we will see that whenever people have chosen the muddy water of communism, it was because they were so thirsty for change. Our purpose therefore must once again become what it has always been in our moments of greatest effectiveness: An overriding commitment to a world of increasing freedom and opportunity; a world that ultimately, in Franklin Roosevelt's words, may achieve for "every man, woman, and child on earth the possibility of security and well-being.

Behind the crucially important advance lines of our military defense against Communist aggression, we must create—regardless of what Moscow does or fails to do—a truly adequate world program designed to meet the age-old problems of class and war.

Man's greatest accomplishments from the beginning of time have always been born of great dreams. When human beings are at their most effective best, it is because they have found some concept larger than themselves in which to place their hopes.

Every great forward movement in history has been made possible by individuals who were hardheaded working *idealists*—each of whom in his time was bitterly opposed by those who prided themselves on their *realism*.

In 200 A.D., who would have dreamed that the mighty Roman Empire would be undermined by a motley group of slaves and near slaves belonging to an obscure Near Eastern religious cult—called Christianity?

And in 1776 how many realistic observers of events in North America would have guessed that a ragged Continental Militia could withstand 5 years of war against the most powerful nation of the time—and win?

Fortunately for mankind, dreams and hopes have always had a way of upsetting the sterile concepts of conquerors and oppressors. Perhaps that is because the dreams and hopes that have most roused mankind have always had a *universal* quality about them—a questing after brotherhood, liberty, peace, abundance.

It was *hope* that brought some of the ablest and most vital people of Europe as immigrants to America.

It was *hope* that built our great American West.

It was *hope* that built a new Europe after World War II and is now building a dynamic Common Market.

It is *hope* that will build a new Africa and a new Asia—and that is gradually beginning to fuel the Alliance for Progress in Latin America.

And what built Israel if it was not *hope*? What else can explain this rebirth of an old nation after the passage of centuries, despite obstacles of weather, geography, and political strife that led the European, American, and Arab realists to assert that the dream itself was monumental nonsense?

The realists of history have traditionally failed to understand the power of such concepts. And so they have offered drab, intermediate alternatives that have failed to awaken men's best efforts and that ultimately have led to their defeat.

These points underscore the most fundamental question of all for American policymakers. Precisely what are we seeking in this world? What, in short, is our national purpose, and what are we willing to do to obtain it?

Our country was built through the power of people and ideas. What we must seek today in our relations with the rest of the world is a balance of political and economic initiative, pledged to human betterment based on traditional values, and shielded by whatever weapons may be required to defend ourselves and other non-Communist peoples.

The vast majority of men everywhere are seeking the very principles for which in our own country we have fought a continuing revolution: peace, justice, material welfare, self-government, and the opportunity to maintain themselves and their families with dignity.

The ultimate realism, therefore, is to identify ourselves by action as well as rhetoric with these basic human aspirations that are so deeply rooted in the universal principles which have moved men from the beginning of time. In today's world these are the primary building blocks of national power.

But on one essential point we must be *clear* beyond all question: The consistent, coherent pursuit of principle in world affairs does *not* mean a wistful pandering to elusive world opinion.

It *does* mean that our country must oppose oppression not only in the Communist countries but everywhere it exists; that in Asia, Africa, Latin America we must place our weight squarely behind the forces of freedom and human bet-

terment; that we must vigorously support the United Nations and the growth of world peace through world law; and that we must ally ourselves not just with governments but with peoples.

If the examples of India, Algeria, Indochina, and Israel have proved anything, they have proved that power in our revolutionary world is not exercised only by those with the most guns, but rather by those with the firmest cause and the will to fight for it.

Let us also remember that blind acceptance of U.S. leadership is not a commodity that we can purchase in the international marketplace.

Why should Asians, Africans, and Latin Americans die to assure rising living standards in far away America? Like the rest of mankind, they will sacrifice themselves only for their own country and for what they believe to be their own interests.

Therefore, if we are to establish a working relationship with the majority of mankind, we must identify our *own* self-interests with theirs. We must do this not through slogans but by expanding the common objectives that we and *they* think are important.

Fortunately, these objectives are easy for us Americans to understand and to accept: freedom from colonial rule; human dignity for all, regardless of race, creed or color; and expanding economic opportunities.

These are the objectives stressed by the first Afro-Asian Conference at Bandung in Indonesia 7 years ago, and again accepted by the recent Cairo Economic Conference of Developing Countries.

As we look to the future, we can learn from the past. The perennial dilemma of mankind is dramatized by Barbara Tuchman in her recent book *The Guns of August*. In this gripping account of the first stages of World War I, we see in stark, awesome clarity not only the savagery of war but the process by which leaders of great nations with a deep-seated stake in peace, beset by a variety of pressures, lost control of their policies and stumbled into war.

In that tragic summer of 1914 there were many—English, French, Austrian, German, Russian—who clearly foresaw the danger of an impending holocaust, yet who were so caught up in previously established positions that they were unable to substitute realistic new courses of action for those clearly doomed to failure.

And so it was that intelligent men stumbled, hesitated, and fumbled as the diplomatic machinery ground to a halt, and that great armies were plummeted into a bloody conflict—on what had been claimed to be the most civilized continent on earth.

The result was the most devastating war mankind had yet known—a war in which some 30 million died—followed by a hopeless, vindictive peace that sowed the seeds for a second war even more ghastly than the first.

Now 43 years after the signing of the "Peace" of Versailles, we again see the world's greatest military powers—this time armed with nuclear weapons of near-total destructive power—angrily confronting each other in almost all corners of the world, while harried diplomats again parry and maneuver.

Is it impossible for human beings to learn from history? Are we helpless in the face of forces which we ourselves have created?

It is time bluntly and boldly to draw the issue. The question at stake here in America and throughout the world is not the *desirability* of peace, although some seem to hold it lightly, but rather how peace—an honest, practical and lasting peace—can best be secured.

The road to such a peace is long, tortuous, and exhausting. At every step we will hear both the voices of the impatient, pressing us in the shrill name of a sterile "realism" to embark on inviting shortcuts, and those of the faint-hearted who throw up their hands at the very enormity of the undertaking.

If the worst happens and America should fail on this long road to peace, it will not be for lack of guts but for lack of sensitivity to the views of others: for lack of what our forefathers described as a "decent respect for the opinions of mankind." And this will be due not to defects in the American character, but because of confusion created by panacea peddlers with no sense of responsibility, operating in a period of historic complexity against a background of revolutionary change.

American democracy's greatest strength has always been its ability to create a working consensus of common belief. In this election year it is important

above all that we not lose our perspective and that we work together to create a climate of public discussion leading to such a consensus in which bipartisanship is more than a slogan.

Without surrendering their essential democratic right to ask hard questions, political leaders can, if they will, work together across party lines to create the kind of flexible dynamic policies which the world situation so urgently demands of us.

Let us all, therefore, gird ourselves for the wise, courageous, and enduring effort that alone can lead to a more rational world.

Let us reject the rash pleas of trigger-happy adventurers who urge us to raise our tariffs, cut our budgets, and then declare war on everyone who offends us.

Despite the tumult of missiles, cold war, armaments races, and reckless oratory, it is those who see our new world in terms of freedom, individual opportunity, and peace who will write the best remembered pages in the history of our time.

It is the task of our generation of Americans to see that these pages are a worthy addition to the dramatic story of man's never-ending struggle for freedom.

Chairman RUSSELL. Senator Hickenlooper?

Senator HICKENLOOPER. Just one or two questions of basic rights here.

#### EFFECT OF RIO AND OTHER TREATIES ON MONROE DOCTRINE

I think it is fair to assume in its original concept and down through the years, it was considered under the Monroe Doctrine that we received the right to take unilateral action if necessary to prevent the dangers which the Monroe Doctrine pointed to.

Is that a fair interpretation?

Secretary RUSK. That is a statement of our own national attitude toward it in the 19th century, but this was not necessarily accepted.

Senator HICKENLOOPER. I understand it was our attitude that we would reserve the right to exercise our own discretion. Of course, we mentioned the Platt amendment a moment ago which referred specifically to our reservation of the right to go into Cuba to preserve free government there. That was changed by the good neighbor policy in 1934.

In the inter-American defense agreements, and the Rio Treaty, didn't we in a measure give up the theory that we had the right of unilateral action in any of these countries.

Secretary RUSK. What the Rio Treaty did, Senator, was to commit ourselves to consult with our partners in the hemisphere when matters of this sort arose. But just as we have—

Senator HICKENLOOPER. Isn't there a provision in either the treaty or the collateral agreements to the effect that no country could invade or could enter the territory of another country except in self-defense? That is always reserved. It is an inherent right.

Secretary RUSK. I think except in case of armed attack there was the obligation to consult.

Senator HICKENLOOPER. Are we handicapped somewhat by the agreements we have made so far as unilateral action short of an armed attack is concerned?

Secretary RUSK. I would not think, Senator, that we are handicapped in practice for this reason: that as a practical matter we do want the other members of the hemisphere to be with us to the maximum extent possible if we have to act against Cuba.

## CAN THE UNITED STATES ASSIST OTHER COUNTRIES IN THE WESTERN HEMISPHERE?

Senator HICKENLOOPER. I was merely examining how much we had curtailed the position which we had traditionally maintained up until that time. Of course, we have certain agreements which affect the security of the hemisphere—the Punta del Este agreements, and the Organization of American States.

Let me ask this: Do we, in your interpretation, have a right under these agreements—all of them or any specific one—to police the waters of the Caribbean for the purpose of protecting other nations in the Caribbean, at their request, from the exportation of subversive activities and arms and things like that from Cuba or any other country? In other words, what would happen if Guatemala said, "We think we are about to be invaded here, subversively and surreptitiously by arms and boatloads of people and we would like to have you send destroyers to stop that kind of monkey business."

Secretary RUSK. I think there would be no inhibition of that type of operation.

Senator HICKENLOOPER. I am talking about the legal right. I think we have to do a great many things sometimes and argue the right later. If it is a matter of acute security, it runs in my mind that we may have that legal right.

Secretary RUSK. I think we do, sir; although we would claim that we did, there might be others who claimed that we did not.

But under the declarations in January, at Punta del Este, the majority asserted its policy and set up a special security committee of the OAS itself to consult with governments about just such threats, and we have, in fact, cooperated with governments in the Caribbean area since Punta del Este against exactly the kind of threat you are talking about. I think there is no doubt in this hemisphere that right would be clearly recognized.

Now, somebody else outside might challenge it.

Senator HICKENLOOPER. You would say that our right would be strengthened if our intervention was on the specific request of the government fearful of being invaded.

Secretary RUSK. It would be strengthened—

Senator HICKENLOOPER. I merely use the example of Guatemala. Suppose the Guatemalan Government said officially, "Look, we think we are about to be put upon here. Would you send some ships down here to help us out?"

Secretary RUSK. I think we have gone somewhat beyond that, Senator, because we have undertaken active cooperation with all of these governments on just the kind of surveillance and preparations that you are now talking about. [Deleted.]

Senator HICKENLOOPER. Thank you.

Chairman RUSSELL. It is very evident we cannot conclude this morning. Senator Sparkman and I have agreed to recess until 2:30, after we hear Senator Smathers.

Senator Smathers has a conference on the tax bill at 2 o'clock, and he has a very brief statement to make before the committee.

Senator MORSE. I have to preside at a conference on higher education this afternoon. After we get through with Senator Smathers, can I put a question or two to the Secretary of State?

Chairman RUSSELL. I will be very happy to, but Senator Humphrey is first.

Senator HUMPHREY. I will be glad and happy to yield.

Chairman RUSSELL. Can you stay with us?

Secretary RUSK. Yes. I wanted to suggest to the committee that paragraph 3 of the resolution at Punta del Este on this Special Consultative Committee on Security might well be put in the record.

Chairman RUSSELL. That will appear in conjunction with your discussion of it.

Senator HICKENLOOPER. I was referring to that paragraph.

Senator MORSE. I would like to have that in, Mr. Chairman, but I would like to have the entire act of the Punta del Este Conference put in the record at this point because it is going to run through all these discussions.

Chairman RUSSELL. Let me suggest that we have this paragraph inserted, and then let the entire treaty be printed at the conclusion of these hearings.

Senator MORSE. It ought to be in the record.

Chairman RUSSELL. That should be done.

(The paragraph referred to follows:)

To urge the member states to take those steps that they may consider appropriate for their individual or collective self-defense, and to cooperate, as may be necessary or desirable, to strengthen their capacity to counteract threats or acts of aggression, subversion, or other dangers to peace and security resulting from the continued intervention in this hemisphere of Sino-Soviet powers, in accordance with the obligations established in treaties and agreements such as the Charter of the Organization of American States and the Inter-American Treaty of Reciprocal Assistance.

Chairman RUSSELL. Senator Smathers.

Senator SMATHERS. Thank you, Mr. Chairman.

Chairman RUSSELL. You may proceed.

#### STATEMENT OF HON. GEORGE A. SMATHERS, A SENATOR FROM THE STATE OF FLORIDA

Senator SMATHERS. I had intended to put two resolutions in to be considered by this joint committee with respect to the recognition of a government in exile, and the second one with respect to the value of the recognition or the creation of the Western Hemisphere Military Alliance.

However, I am for the Mansfield resolution, but I do not want to complicate that too much at this stage of the proceedings, and inasmuch as I was late, and through my own fault, was not here to make my argument, what I think I would do, and I just want to put this in for the record, is I will take my resolutions and offer them on the floor and ask they then be referred to the Foreign Relations Committee which would, in effect, separate them from the consideration of the Mansfield resolution.

I would say, since I have already talked with you, Mr. Secretary, about this, I think inevitably we are going to have to take some steps, affirmative steps, and it seems to me that the only steps that are logical and can be taken without actually going and making an act of war through a blockade or something of that character, is to immediately undertake asking the nations of the Western Hemisphere—and there

is a lot of authority for it—who do not now, like Mexico, Ecuador, and possibly Chile, who do not want to make an act of war, to at least get those countries to indicate that they would join with us, if need be, in what I think eventually will have to be done, and that is put troops ashore, but if we do that then, of course, we have Latins fighting Latins.

If we get a government-in-exile, we have Cubans, they can be the first wave, they are the people who are trying to free their own country, and we avoid the stigma to a great extent of having to say that we have unilaterally attacked, and we become the victims of all that propaganda.

Thank you, Mr. Chairman. I will put these resolutions in and have them referred to the Foreign Relations Committees.

Chairman RUSSELL. You will introduce them? Very well.

Senator MORSE.

Senator MORSE. Mr. Chairman, I want to ask a few questions on the Monroe Doctrine and on proposals for a blockade and acts of war.

PRONOUNCEMENT ON UNITED STATES-EUROPE RELATIONSHIP BY MONROE

It is true, is it not, Mr. Secretary, that in 1823 when President Monroe sent his message to Congress, part of which has become known as the Monroe Doctrine, he not only discussed the so-called Monroe Doctrine with respect to its application to the Western Hemisphere but also set forth in that doctrine his position with regard to the U.S. relationships with Europe?

Secretary RUSK. That is correct, sir. He pointed out in the same declaration that we would not involve ourselves in the affairs of Europe.

Senator MORSE. When the Monroe Doctrine was enunciated by President Monroe in 1823, we were very much concerned about the threat of czarist Russia. Up in my part of the country, the great Pacific Northwest, there was a fear that czarist Russia had some aggressive designs on the United State through that channel, was there not?

Secretary RUSK. That is correct, sir.

Senator MORSE. Is it not true that historians have pointed out that the reference to our European policy in the message of Monroe in 1823 was an extension or a reaffirmation or a greater detailing of George Washington's farewell address in regard to our relationships with Europe?

Secretary RUSK. It reflected the fact that the world situation and our place in it was vastly different than it is today in that we were concerned about the continued independence of the new nations of this continent and the possibility they might be upset or overthrown by the reintroduction of colonialism in this country.

Senator MORSE. We have long since abandoned the European part of the Monroe message of 1823, by way of whole series of treaties and agreements on European policy—to mention but one, the NATO Treaty in regard to which, as the chairman of the Armed Services Committee knows, I joined as one of the floor leaders at the invitation of Senator Vandenberg and presented to the Senate article V of that treaty. It was far removed from the European policy enunciated by Monroe in 1823.

My question is, it is true, is it not, Mr. Secretary, that we have greatly modified the European policy of the Monroe Doctrine of 1823?

Secretary RUSK. That is correct, sir.

Senator MORSE. I happen to believe that there is an important part of the Monroe Doctrine left, but I also happen to believe that you do not need the Monroe Doctrine to exercise that power, and I want your value judgment on this.

#### EVOLUTION OF THE MONROE DOCTRINE

My judgment, as I said in my speech in the Senate the other day, was that many of these agreements and pacts and treaties we have entered into in Latin America—the Rio pact, the agreement with Panama, the agreement at Caracas, the Bogotá pact, which is the Organization of American States Charter, and now Punta del Este—resulted in part from the fact that over the decades some of our Latin American neighbors, as they became more powerful, resented the policy of the United States of setting itself up under the Monroe Doctrine as a sort of protector and fatherland, so to speak, of these countries which, at one time, were colonies of European powers. They sought to work out an allied relationship, a partnership relationship, a cooperative relationship with us, and wanted to be consulted and to be in on, shall we say, the development of any foreign policy for the hemisphere that the United States might carry out under its pronouncement of the Monroe Doctrine of 1823.

Do you think that is a fair statement of a growing attitude on the part of many Latin American countries from the time of the enunciation of the Monroe Doctrine until the time we started entering into these pacts and agreements and treaties with our Latin American neighbors?

Secretary RUSK. There was a problem, Senator, created between us and our Latin American friends in some of the situations in which we tried to assert some of those actions directly relating to European countries.

If you had a European country and a Latin American country involved in a dispute, if we stepped in, as we did on occasions, and said, "The Monroe Doctrine makes it impossible for you in Europe to pursue your dispute beyond a certain point through pressures and movement of gunboats and things of that sort," then those European countries came back to us and said, but then we should take the responsibility for being sure that their rights in the dispute were fully complied with.

For example, if we prevent them from collecting debts by force under the Monroe Doctrine, they would expect us to collect the debts for them.

Therefore, they use the pressures in Latin America to enforce their rights there, and this created some fear on the part of Latin American countries that the other side of the Monroe Doctrine represented an unequal relationship between Latin America and the United States.

Part of the effort to put this on a hemispheric basis was to separate out those elements of the Monroe Doctrine on which we could all agree, the security of the hemisphere, and then try to move together with it, and have the hemisphere on the basis of equality.

## MONROE DOCTRINE AND THE SOVEREIGN RIGHT TO PROTECT U.S. SECURITY

Senator MORSE. I would like to have your statement on the next matter. I will make a statement and then you make a critique of it. I could do it by cross-examination, but I think we will save time if we will do it this way.

In these treaties and pacts and agreements that we have entered into—such as some of those I have enumerated—was it ever our intention to modify in any way the doctrine of Monroe that if any foreign power followed a course of action in the Western Hemisphere that threatened our security directly or threatened our security indirectly by destroying the security of another free nation in the hemisphere, we reserved our right to protect that security unilaterally, if necessary?

Secretary RUSK. I think, sir, if we assume now that the judgments under the circumstances in each case would be responsible judgments, that on the basis of responsible judgments as to the threat, what we did was to say that we ought, if possible, to deal with this on a hemispheric basis, but we did not renounce at the very bottom, at the very essence of our own national commitments, we did not renounce a national unilateral interest in those problems if they could not be handled on a hemispheric basis.

Senator MORSE. I think it is very important for these hearings to get this pinned down, because there is so much confusion about the Monroe Doctrine across the land.

That reserved power is a reserve power of national sovereignty that we would have had whether Monroe ever sent a message to the Congress in 1823 or not; is that not true?

Secretary RUSK. That is correct, sir.

Senator MORSE. And the message of Monroe in 1823 clarifies that doctrine of sovereignty. We have the sovereign power to defend our security and to take whatever action is necessary in our area of the world if a foreign power, in turn, follows an aggressive course of action that endangers our security.

Secretary RUSK. Yes, sir. In my opening informal statement I referred to the Monroe Doctrine as one of the expressions of this underlined national interest that I spoke about.

I think if there was anything that was added to what had appeared as sovereignty to a sovereign state, it was the declaration that we also accepted a special responsibility for this hemisphere, and although it is only 3,000 miles from New York to Paris, and although it is 6,000 or 7,000 miles from New York to Buenos Aires, nevertheless we do accept as a part of our national interest a special responsibility for this hemisphere.

Senator MORSE. One of the problems that concerns me is the great threat of communism in many places in Latin America, of which you are well aware. We saw it very clearly, both at the time of the 1960 Bogotá Conference and at the time of the Punta del Este Conference this January.

I think we can take judicial notice that some of our Latin American allies have been greatly weakened by Communist forces within their countries. We never know really from week to week whether or not one of these countries may be overthrown through a coup or a Communist revolution.



ACTION IN THE EVENT OF A HYPOTHETICAL COMMUNIST REVOLT  
IN LATIN AMERICA

Speaking only hypothetically, let us assume that one of our allies in the Western Hemisphere is overthrown. There is a people's revolt, and it happens to be Communist revolt. There is an out-and-out Communist revolt, such as we now realize we had in Cuba. Some of us were suspicious at the time and dared to say so.

So, a Communist regime is set up in country X. This certainly destroys the security of the government that existed prior to the revolution, but we cannot say it threatens our security except that you and I know that our security is threatened whenever any neighboring country goes Communist. Suppose that the new government says, "We renounce any cooperation from the United States under the Monroe Doctrine or any other doctrine—the Act of Punta del Este or the Act of Bogotá. We want none of it. Stay away."

Is it your position that unless that new Communist country follows a course of action that we can justifiably say endangers the security of the United States—because we see an aggressive power building up with land-to-land missiles and submarine bases and launching pads, and so on—we would have no right under the Monroe Doctrine or under existing international law to proceed with an act of force which would lead to an act of war against that new Communist revolutionary government?

Secretary RUSK. Senator, that is a very fundamental question.

I would think, first, that it must be the primary objective of our policy to prevent that situation.

Senator MORSE. I agree.

Secretary RUSK. I think you would agree on that.

Senator MORSE. We tried to do that at Punta del Este.

Secretary RUSK. I think it might be worth recalling that about a year ago the President said that there were two things in Cuba that were not negotiable: The military relationship with the Soviet bloc, and the military involvement with the Soviet bloc in this hemisphere; and, secondly, any attempt on the part of Cuba to export what it was doing into other countries and interfere with their domestic affairs.

I think that the circumstances that you mentioned would present us with the gravest possible issues because I cannot quite imagine a Communist revolt of that nature in this hemisphere that would not have ties with the international Communist conspiracy; so I would not want to say that the answer to your question is no. I think we have got to keep the way open.

Senator MORSE. I do not happen to think the question is no, myself, but we have to deal with the tough ones.

Secretary RUSK. Yes.

## JOINT HEMISPHERIC ACTION URGED IN HYPOTHETICAL CASE

Senator MORSE. If you want my position, I happen to think if you get that kind of a new Communist regime established in country X, Y, or Z—and I am not naming any of the countries, but let us say that they are some of the more powerful countries rather close to us—that we ought to say to the Organization of American States that under the

Act of Punta del Este, we all made some commitment as to what we were going to do. We made clear that Marxism-Leninism is not compatible with the Western Hemisphere, and we are going to act jointly to stop it. That is the pledge they made. I want to hold them to that pledge.

That is where you find me following, may I say, a very impolitic course of action at this time. I know how impolitic it is. But I want to hold my country, if I can, within the framework of international law. I happen to think that the proposals for unilateral action will take us outside the framework of international law if we have not exhausted every attempt to get cooperative action through OAS and ultimately, if necessary, through the United Nations before we go off on our own unilaterally. That is, unless in the course of that time period there is such an aggressive threat against us that we have to act to protect our own security, Monroe Doctrine or no Monroe Doctrine, in the exercise of the sovereign power on the part of our Government. I think it is very important that we try to get this joint action of which we have been speaking through the OAS.

I wish the foreign ministers could meet in less than 10 days, but I recognize that it is impossible. I know what you have got to do to prepare for it. It takes days and days to prepare for that kind of a meeting.

#### IMPORTANCE OF MULTILATERAL APPROACH

I am making these comments to get your judgment on this question: Is it your opinion that every effort ought to be made on the part of our Government to try to get our allies in Latin America, and our allies elsewhere in the world, to act through existing international bodies for the settlement of this Cuban threat?

Secretary RUSK. I think it is of the greatest maximum importance, Senator, that we try to act jointly with our allies in a matter of this sort, not only because we have commitments to try to act on it with them, but also because the United States cannot really act alone in these matters without heavily involving those who are closely allied with us.

In other words, they get caught up in it, they bear the consequences, they have to help carry the load, and I think that the circumstances which would be impelling to us would also be circumstances which would be very impelling to them if the time came when we had to make large scale use of force against threats in Cuba.

#### EFFECTIVENESS OF A POSSIBLE BLOCKADE

Senator MORSE. I want now to raise, and let the Secretary comment on, the subject of blockade.

One of my colleagues—who is just as sincere and just as patriotic as I am, but we just disagree, probably on the timing of a blockade rather than the possible necessity for one eventually, depending upon future development—is quoted in the paper, and I paraphrase it, as proposing a blockade, and as setting out in some detail how he would operate it.

If the ship didn't stop, he would have a shot fired over its bow, and if it did not stop then he would fire another, and then proceed to take

what course of action is necessary to prevent it from getting into Cuba, including, if necessary, the sinking of the ship.

I cannot escape the conclusion on the basis of my limited knowledge of international law with regard to blockades that that would be an act of aggression, it would be an act of force, and it would be an act of war under the law of blockade.

Is it your opinion that if we set up that kind of unilateral blockade without the approval of NATO, without the approval of the Organization of American States, some of our allies might defy us because of their historic record of insisting that they will preserve their rights on the high seas and they will not ever recognize a nonpacific blockade?

Secretary RUSK. Of course, this necessarily has to be somewhat speculative.

Senator MORSE. It is hypothetical, but I do not see how you can deal with these resolutions without considering these possible hypotheticals.

Secretary RUSK. That is right. But I just am looking to a contingency—

Senator MORSE. I interrupt once more, and then I will not interrupt again. We are saying, in effect, to the President, "We are now going to give you advance authority really to take what course of action you think is necessary." As far as my vote is concerned, I do not propose to give any President of the United States the advance authority to set up unilaterally a blockade that would constitute an act of force and be interpreted by some of our allies as an act of war.

Secretary RUSK. Senator, I would think that under present circumstances, unless there were a much stronger showing of a clear and present danger to the security of the United States in the Western Hemisphere, if we tried to enforce blockade, enforced by unilateral action that we would meet, at least, the political opposition of most of our allies, and we would be reminded very strongly of the Suez situation, generally speaking.

I doubt very much that any one of our allies would resist that by force to which they replied, but I think they would reserve their rights freely and would take such political action as they could to get us to reverse the action.

Senator MORSE. They might send in a ship to test us.

Secretary RUSK. That is under present circumstances. If there was a much clearer assurance of a clear and present danger, there would be a great many other factors that come to bear, and the situation might well be different.

Senator MORSE. Might very well be different.

#### POSSIBLE RECOGNITION OF A CUBAN GOVERNMENT IN EXILE

There is talk about recognizing some Cuban government in exile. I raise the question which Cuban government in exile do you think would be eligible for recognition, for I understand that there is a great deal of diversity among these Cuban exiles and a great play for power among the various groups of them.

Would recognizing a government in exile, without having any conversations through existing international bodies to which we are committed by various treaties, create problems with our allies?

Secretary Rusk. I am sure that that would at the present time, Senator. I don't believe the United States has ever recognized a government in exile which did not originate in its home country, and which had been driven out then by enemy action, as in the case of World War II.

It is true there is not a degree of cohesion among the various refugee groups outside of Cuba to support at the present time on their part in a single institutional alternative arrangement for Cuba, given a change in the situation.

Further than that, I think there is much to be said for the point that when the time comes for Castro to be overthrown and that regime to be changed, a great many elements now in Cuba necessarily must then take part in that.

This is not from the history of these matters a matter to be handled just by refugees and, therefore, the alternative leadership on the island, must feel they have an important role.

So that we do not at the moment see the political wisdom of ourselves selecting just any reasonably cooperative group of exiles and say, "So far as we are concerned, you are the Government of Cuba."

I think we would have great difficulty internationally in getting others to go along with it now.

#### CONSTITUTIONAL QUESTIONS RAISED BY PROPOSED RESOLUTION

Senator MORSE. Mr. Chairman, this is the last point I raise for the Secretary's comment. I want the chairman to know my view on it, too. I want to joint in a resolution. I think it is important from the standpoint of confidence of the American people that we have a resolution. I think we have a great opportunity here to educate the American people as to what the power of the Commander in Chief is when we are threatened as we are when a crisis such as that in Cuba occurs.

You spoke about the Korean crisis. Don't forget the first action by President Truman was based on his position as Commander in Chief. The United Nations action followed later. It followed his first exercise of the Executive power by the President.

I agree with the Chairman it would have been much, much better if we had had a resolution at that time or an official request on the part of the President of the United States to the Congress at that time.

Chairman RUSSELL. It would have been passed unanimously the morning after.

Senator MORSE. I think it would have passed unanimously, and I was for it.

What greatly concerns me, Mr. Secretary, is that, under the emotion of the time, we may pass a resolution here that goes beyond the inherent power of the President which is all we need to meet this crisis. We ought to spell out what that inherent power is.

I think it would be unfortunate if we delegated congressional power to the President or attempted to do so. I do not think we can, but we will never get it tested constitutionally. I think it would be most unfortunate if we got into a congressional conflict over a resolution that amounted to a predated declaration of war and that could be interpreted as seeking to delegate to the President the power to commit an act of war.

It is so easy to get this Congress into session we could strengthen our position around the world, if we educate the people around the world to our constitutional process of checks and balances. The President's action will mean so much more after the Congress has had explained to it the operative facts that call for a declaration of war if we get to that point. To protect our security you do not need any advance authority from the Congress of the United States. The President has that inherently. What I am worried about is the possibility of getting a resolution so worded here that we can lean back in our congressional chairs and say, "Well, we have passed the burden to the President. If he thinks we have to make war we have told him to go ahead and make it."

I still think it is pretty important under our constitutional system that the actual declaration of war be made by the Congress of the United States on the basis of a message presented by the President to the Congress containing those facts that justify a declaration of war. I wanted you to know the concern of mine because I think it is inherent in the situation in these closing days of the session of Congress. I am worried about the time element. I am worried about the rush in which we are acting here this week, with all the other things we have to do. I am afraid there is not going to be time for the deliberation and the calling in of all the witnesses that ought to be called in.

I think we can pass a resolution that will give the President the backing that he needs and in which we simply say, "We want you to know that we are aware of your inherent powers as Commander in Chief. If you find it necessary to use them, go ahead and use them, and then give us a report immediately as to why it became necessary for you to take those acts that might lead to an act of war." That is quite a different thing from the resolution which I have heard discussed here this morning which, without time to analyze the language, I interpret to be a predated declaration of war.

I do not think it is necessary to pass that kind of a resolution. I do not think we should pass that kind of a resolution. On the other hand I think we ought to make very clear to the President our united bipartisan support of his using his Commander in Chief power in any factual situation which develops that may cause him to have to go all the way to protect our security. He can do that, Monroe Doctrine or no Monroe Doctrine.

I am through, Mr. Chairman. If the Secretary wishes to comment he may, but I do not ask for it.

#### INTERNATIONAL EFFECT OF A BLOCKADE

Chairman RUSSELL. I assume we will thrash that out later in the committee. But I am a little confused about one question, Mr. Secretary, on this matter of a blockade.

I always had thought that a blockade was, in effect, an act of war against a country blockaded. I did not know it was an act of war against everybody who had vessels on the high seas.

Secretary RUSK. Well, the use of force against ships going into a country blockaded could be interpreted by the country who was stopped as an act of force, to proceed on the basis of an act of war.

Chairman RUSSELL. That is seizure, but I thought it was very clearly defined internationally where a state of war actually existed,

where one country had the power to impose a blockade, that they had the right to do it. The British relied on that during two World Wars.

Talking about Her Majesty's Government, if a blockade is an act of war, then if you have the power to enforce the blockade then you have the right to do it under international law.

Secretary RUSK. Senator, I think the situation would be quite different if, in fact, there was a state of war between the two countries. I had supposed we were talking about a blockade short of the existence of a state of war when I commented on it earlier.

Senator MORSE. Mr. Chairman, wasn't the War of 1812 in part really brought about by a blockade?

Chairman RUSSELL. I thought it was on search and seizure on the high seas. The war hawks finally forced us into that war very foolishly, and then only one of them had the courage to fight, the others sent other men out to fight, because they were seizing American ships right outside Baltimore Harbor, and were taking American citizens and impressing them. That is what brought on the War of 1812.

Senator MORSE. The blockade factor was very important.

Chairman RUSSELL. It had very little to do with it. Jefferson recognized the blockade of France before that time, and the War of 1812 continued.

Speaking of the war hawks in the Congress denouncing the British and calling us cowards because they would not prevent them from taking our fellow citizens and putting them on British ships, when they finally got the country in the war, one of them fought a little bit, but the others did not fight a day.

#### RELATIVE IMPORTANCE OF WORLD PUBLIC OPINION

Since we are all making statements here, one thing that distressed me is the concern that we are going to choke ourselves to death on our exaggerated fears that the rest of the world won't like us.

I do not want us to get to the point where we have to let our foreign policy be controlled by whether it meets the favor of all the peoples on earth. If we do we are doomed.

Khrushchev did not think about that when he went into Hungary and crushed those boys over there with his tanks, and if he suffered in international relations, I have not seen it anywhere. The ones who were his friends are still staying with him, and the ones who opposed him are still opposing him.

While we must carry out our international commitments, I think this business of failing to do what we should do because of the fear of what the rest of the world thinks about us can result in self-destruction.

Secretary RUSK. Senator, I do not believe that is a matter that would hold us back if certain actions became necessary.

For example, we knew when we resumed nuclear testing that world opinion, by and large, would be negative. Nevertheless, because it was important for us to resume testing we proceeded and, incidentally, because we proceeded, world opinion then tended to rally around us to a considerable degree.

But I do think, as a practical matter, it is of the greatest importance when we act in matters that involve great danger to the American

people it is an element of strength for us to have the maximum number of people all over the world for us.

Chairman RUSSELL. I approve of that. But the time spent waiting to build up support in some crisis that might put us at an unconscionable disadvantage is what I am talking about.

Senator HUMPHREY, I am afraid you will have to defer your questions.

Senator HUMPHREY. I am not going to be able to come back this afternoon, and I shall not take any time with the Secretary.

#### RELATION OF CUBA TO OTHER WORLD TENSION AREAS

The thing that has disturbed me a little bit this morning is that there has not been very much comment, unless there was prior to my coming here, relating to the consequences of unilateral action in the Cuban situation in terms of other areas of the world in our confrontation of the Soviet power.

I believe, Mr. Secretary, that it is absolutely essential that in this discussion with some of our colleagues here the relationship of our situation in Berlin in the coming months, to this critical situation in Cuba, be clearly spelled out. I think also it is important that you tell the committee—if you have any concern about it—in what areas of the world we might be faced with heavier Soviet pressures even to the point of belligerency by Soviet forces, if military action were taken by our country upon Cuba. I do not say that any of these contingencies should deny us or should keep us from fulfilling the necessary act in relationship with Cuba. I want to make quite clear my feeling about that. I do not think there is anything that we can do that won't have some repercussions, but I think we ought to evaluate those repercussions and see whether or not what we are doing is worth what may follow in other parts of the world.

I want to say with Senator Russell that I do not believe in a foreign policy of being just popular. I think it is very important that we take action at times which may be unpopular, because you cannot please everybody in here, much less around the world.

#### TRAINING AND USE OF CUBAN EXILES

Then, too, Mr. Secretary, since I will not be able to interrogate you, I would be very interested in knowing just what we are doing right now to keep up the forces in Cuba that oppose this dictatorship. I heard this morning on the radio, as I came to work, a reporter who gave a special on-the-scene report of commando-type activities down in the Florida Keys. He asked one of the officers in charge whether or not this had the support of the Government of the United States, and he said, no, that the main thing they had from the United States was trouble. He said they were getting no support from the United States. Nevertheless, it was said that these forces were Cuban and were under the command and under the training of our military personnel.

This kind of a news story coming out again—it was over the NBC network, I believe, is disconcerting.

There are a lot of ideas that some of us have about what we might do. I suppose you have heard them all. What about the possibility

of using some of these Cuban exiles as auxiliary forces among some of our Central American countries? We would have to make some offer of help or afford some financial help. There are thousands of these men, and maybe there would be some political danger to that idea in the respective countries.

## SITUATION IN THE CARIBBEAN

Furthermore, is it necessary to consult with all of the OAS? This is a Caribbean area, and from what little I know about Latin America, the people who are not in the Caribbean area do not think the same as many of those in the Caribbean—in other words, Venezuela, Panama, Honduras, El Salvador, Guatemala, Nicaragua, these countries, the Dominican Republic, and Haiti. These countries have a little different attitude about Mr. Castro and his crowd because they live right next door. As you know, I expressed concern about Haiti. I would be willing to bet several years of my public life, if I have that many, that there are going to be troubles in Haiti. I think there is going to be trouble in Haiti, and the question is what are we going to do with that trouble when it comes. Do we have anybody that we are for? Do we have some plans to see that Haiti does not fall into the hands of Cuba? There is a good deal of evidence that Duvalier is already playing footsie with some of the Communist forces.

I would welcome any brief comment you would like to make on some of those concerns of mine.

Secretary RUSK. Senator, on the first part of your question, your comment about the effect of the worldwide confrontation with the Soviet bloc, I can comment briefly on that. I did comment on that before you came in.

Senator HUMPHREY. I can read and I will read the record.

Secretary RUSK. But I will comment on that further later on this afternoon. [Deleted.]

## UTILIZATION OF CUBAN EXILES

The various refugee groups at the moment are not able because of a disagreement with each other, rather than agreeing on a single unified consistent effort, to get all of their activities coordinated. [Deleted.]

Some of these refugees, of course, are being offered places in our own Armed Forces. [Deleted.]

By and large, the refugees are not normally those who gravitate to military service, thus far. They are more the professional people who have not been as anxious to do that.

We have used them to good advantage in sending teams around Latin America telling the story of Cuba in some of these other countries.

Senator HUMPHREY. Yes.

## SPECIAL CONCERN OF CARIBBEAN COUNTRIES

Secretary RUSK. And the suggestion that the countries immediately in the Caribbean area might act together, short of the entire



hemisphere, was clearly envisaged in the Punta del Este Conference where arrangements were laid on to make this possible.

Senator HUMPHREY. It would seem to me this is a group of countries that we might want to pay special attention to at this time.

Secretary RUSK. Well, you see, Senator, if I may remind you, at Punta del Este where six of the so-called important countries wanted to abstain on throwing Cuba out of the OAS, we took the view that the important countries were those that felt themselves threatened.

Senator HUMPHREY. Right.

Secretary RUSK. And, therefore, we pursued the majority view and got the expulsion of Cuba from the OAS; so I think we agree with the implications of your comments on that particular point.

Senator HUMPHREY. Thank you.

Chairman RUSSELL. Mr. Secretary, I am afraid you are not going to be able to make it back here by 2:30.

Secretary RUSK. I can be back at 2:30, Mr. Chairman.

Chairman RUSSELL. I do not want to press you because we have kept you over here for more than an hour after normal quitting time.

Secretary RUSK. I can be back, if I may.

Chairman RUSSELL. You can?

Secretary RUSK. I will have to readjust my schedule.

Chairman RUSSELL. All right. Be here at 2:30.

We will recess until 2:30.

(Whereupon, at 1:45 p.m., the joint committee took a recess, to reconvene at 2:30 p.m., the same day.)

#### AFTERNOON SESSION

(Present: From the Committee on Armed Services: Senators Russell (presiding), Thurmond, Engle, Bush, and Beall.

(From the Committee on Foreign Relations: Senators Sparkman, Mansfield, Church and Aiken.)

Chairman RUSSELL. The committee will come to order.

Senator Bush?

Senator BUSH. Thank you, Mr. Chairman.

#### PRESENTING U.S. VIEWS TO SOVIET UNION

Mr. Secretary, has our Government made any request of the Soviet Government for a demand or warning of the Soviet Government that they should discontinue this military buildup in Cuba?

#### STATEMENT OF HON. DEAN RUSK, SECRETARY OF STATE; ACCOMPANIED BY WILLIAM P. BUNDY, DEPARTMENT OF DEFENSE; AND ABRAM CHAYES, DEPARTMENT OF STATE

Secretary RUSK. Senator, we know that the Soviet Government fully understands the attitude of the U.S. Government on this matter. This has been conveyed to them in a variety of ways. But we have not formally presented them with a note or formally proposed any discussion or negotiation on that subject. [Deleted.]

To a considerable extent our view is that there is a special regime of international law in this hemisphere, that has been historically

from the point of view of the nations in the Western Hemisphere, which has its special security arrangements in this hemisphere, and we would not want to see this put up as a matter of negotiation or bargaining between the Western Hemisphere and other parts of the world.

Senator BUSH. Well, my thought was not that we would suggest any bargaining, but the question really was whether in view of this special international law that applies to the Western Hemisphere, whether we would not be justified as a government in making a formal demand that they discontinue this buildup, and it is in violation of the Monroe Doctrine, it is in violation of this body of international law that is peculiar to our hemisphere and, therefore, it would seem to me that making such a request would not necessarily oblige us to link it with any deal respecting Berlin or the Far East or any other place, because we feel that this is a special situation that applies to the Western Hemisphere and, particularly to the United States.

Secretary RUSK. Well, I think there is no doubt whatever that the Soviet Union fully knows our attitude on this question and on that point.

I think the only question there is the difference in the means or the formalities by which one gets this very much to their attention.

I have no doubt whatever that the response of the Soviet Union in its Tass statement showed that it was fully aware of the attitude of the American people and the American Government, and also they moved in its statement to try to meet some of the points that they knew were very much in our own minds.

But, Senator, I do not really attach too much importance to the absence of a formal note, given the many ways in which we have of communicating our attitude to the Soviet Union on these matters.

#### PUBLIC INFORMATION ON EXTENT OF SOVIET ASSISTANCE TO CUBA

Senator BUSH. Has our Government made any official disclosure of our knowledge of the extent of the military buildup in Cuba and the extent to which the Russians are assisting Cuba?

We have seen in the press, of course, a great deal of information from the reports that have been in there.

I have in mind particularly some reports made by one of the New York Herald Tribune men which was put in the Congressional Record. You probably have seen that yourself.

But have we, as a government, made any disclosure to the people that we know the extent of the buildup?

Secretary RUSK. The President has included information on this in his statements and has indicated that if the situation changes we will make further information available. [Deleted.]

The U.S. Information Agency is taking on the rather extensive job of replying to the Tass statement all over the world, but the essential elements of the facts there, I think, have been made public, and the President has indicated he would make additional facts public when it became known. There have been some reports from refugees and others that are only partly accurate, and one of our problems is separating the reports from confirmed information.

We feel we have laid on a number of activities which will help us sort out report from fact and keep the people factually informed.

## KEATING-BUSH AND MANSFIELD RESOLUTIONS COMPARED FOR SIMPLICITY

Senator BUSH. You said in your opening remarks that respecting any resolution that the Congress might pass, the Senate might pass, simplicity was to be emphasized.

In comparing the resolution of Senator Keating and myself which we introduced, with the one that was introduced by Senator Mansfield, it seems to me that the Mansfield resolution is much too long, especially in view of what you have said, and that the other resolution, the shorter one, is concise and very much to the point. It makes two major points that are involved here.

One is the basic right of the Cuban people to independence and self-determination and, secondly, the declaration of the rights and obligations of the United States in this matter.

We refer to the United States. We do not mention the President in this. That is due to the fact that we did not want to seek to instruct the President to do anything that was against the feeling of the Congress.

The declaration concerning the Cuban people and their rights to independence, and the declaration of the rights and obligations of the United States to take action in that connection, in our own behalf, that is what we have stated.

I do not wish to embarrass you in comparing the two resolutions inasmuch as you stressed the simplicity or the desire for simplicity, and I fully agree with the view that the shorter, the more simpler the resolution, the more effective it would be.

I wonder if you care to express yourself on that comparison, whether you would prefer not to do it off the cuff, so to speak, but to give us a statement in a day or so regarding your views on the resolution.

Of course, we will have to take the responsibility for the resolution.

But it seems to me that the Mansfield resolution, with all due respect to our able leader, Mr. Mansfield, is much too long, much too involved.

He does not come directly to the point, whereas the Keating-Bush resolution is very pointed, very brief, and asserts the rights of Cuban people and the rights of the United States.

Would you care to comment on that or not? I shall not insist certainly that you do. I do not want to embarrass you in any way. But it is a pretty serious matter, and I think we would be very pleased to have you advise us on how you view this situation.

Secretary RUSK. Well, Senator, I would not wish at this stage to set the specific language of one resolution over against the other because the resolution which might come out of the Congress is, of course, in the hands of the Congress.

Senator BUSH. That is right.

Secretary RUSK. But I think there is some advantage in building up somewhat more of the background of this problem in relation to not only our national interests but also the hemispheric interests, and I think, for example, that it is useful to point out both to them and to other countries that the governments of the hemisphere did take some important steps in this matter at Punta del Este in January which provides a basis for further hemispheric action on this Cuban question, and that the Western Hemisphere has already rejected this

Marxist-Leninist regime in Cuba as being incompatible with the hemisphere.

EMPHASIS NOT ON UNILATERAL ACTION

Now, on the other question, I commented earlier this morning that I would hope that we would not unduly emphasize the unilateral aspect of this matter because for practical and political reasons I do not believe it would come to a point where "unilateral" means just that, because I think that the circumstances in which a clear and present danger would require us to take particular action of a certain sort would be circumstances in which others would work with us and that, in any event, the United States, acting in a matter of this sort, would, because of our involvement with others and our influence in the world, necessarily involve a good many other countries in the issue.

DOES UNITED STATES HAVE RIGHT TO RESTORE CUBA TO A GOVERNMENT OF THE PEOPLE?

But I think that would be one of the principal problems, whether we have the right to intervene to restore the Republic of Cuba to a government of the people, by the people, and for the people which would, I think, again raise some far-reaching difficulties.

I do not think we have really ever asserted that right. I do not think we have that right covered by any of our international agreements in relation to the use of armed forces.

We do have certain rights with regard to a direct security threat to this hemisphere, but I think there are points of that sort that we would hope to have a chance to go into as the committee considered the actual wording of a resolution.

Senator ENGLE. You surely would not approve that language, would you?

Secretary RUSK. Well, I think it would be difficult to assert and sustain that right, that we have a right to intervene because that, in effect, as far as Cuba is concerned, would be the substance of the Platt amendment.

Senator ENGLE. Let us just assume they want to vote themselves some other kind of government. Are we going to tell them what they ought to put in there? We cannot do that.

Secretary RUSK. I think, as I read the resolution, the intent seems to be in the same general direction in which the other members of the hemisphere resolve that this Marxist-Leninist regime is incompatible with the obligations of the inter-American system.

But I think this particular language could lead to the impression that we were breaking new ground here in asserting the national right to intervene for a rather specifically defined internal structure of government.

Senator BUSH. What is your point on it?

Senator ENGLE. My point is we cannot do it.

Senator BUSH. Cannot do what?

Senator ENGLE. You cannot pass a resolution that we are going to restore to the Republic of Cuba a government of the people, by the people, and for the people. That is our definition, but if they want

to vote a socialistic form of government they can do it, providing they do it by popular mandate and doing it themselves.

Senator BUSH. I have no further questions.

Chairman RUSSELL. Senator Engle?

Senator ENGLE. No questions.

Chairman RUSSELL. Do you any questions or comments?

Senator ENGLE. No, thank you.

Chairman RUSSELL. Or contributions?

Senator Beall?

Senator BEALL. No questions.

Acting Chairman SPARKMAN. Mr. Chairman, I would like to ask a question or two at this point.

Chairman RUSSELL. Senator Sparkman?

Senator SPARKMAN. [Deleted.]

I want to ask you is that true or not?

Mr. BUNDY. Yes. This was a new one to me, Senator, and I have not gone into it in the depth that I should like, and I, therefore, should like to have permission to give you a better statement which I shall as soon as I can get the facts together. But essentially the installations are very different.

The type of emplacements, the type of supporting facility is very different as between the surface-to-air missile and a surface-to-surface missile, and the missiles themselves are very markedly different, so you can be perfectly confident of your identification even with a fairly untrained observer.

Now, therefore, I think it would take very major modifications of those sites, as they are being done now, and they are being done, all indications are they are being done by forced draft, being done very rapidly, and while it is a lighter missile, it is like our NIKE, you can put up launching apparatus without too great difficulty.

Now, the surface-to-surface missile, the RBM's, 700-mile, 1,200-mile, 2,100-mile bracketed range of the missile, differ. Some require very extensive sites; others can be made mobile.

I think the 700-mile one can be made mobile, but I am going on the fragile memory of my intelligence days when I say that.

I think they can be brought in with no reference to site, but I think in the nature of an observation of an object that big we would know it if it had been.

So I do not think there has been much real connection between the two. They have secure installations surrounding these surface-to-air missiles, but they could have that kind of secure installation before, and doubtless did have, in connection with their military advisory activities.

I do not see that they gain much toward a surface-to-surface system by those surface-to-air missile sites, but I would like permission, if I may, to check that and confirm it in writing.

Acting Chairman SPARKMAN. [Deleted.]

Is the range of these missiles a matter of secrecy or has that been made public?

Mr. BUNDY. No, that has been made public in the President's statement, Senator.

Acting Chairman SPARKMAN. What is the range?

Mr. BUNDY. Twenty-five miles.

Acting Chairman SPARKMAN. Twenty-five miles. I saw a newspaper column a few days ago which stated that it was from 60 to 80 miles rather than the 25 miles that the President stated. I remembered quite distinctly that it was stated when we were down at the White House that the range was 25 miles, and it was surface to air.

Mr. BUNDY. That is correct.

Acting Chairman SPARKMAN. That is the type of installation that they have there?

Mr. BUNDY. We are confident of the type of missile in this instance.

Secretary RUSK. Even that, Senator, does not mean that we may not have some—

Acting Chairman SPARKMAN. I realize that.

Secretary RUSK. Because we are insisting on our right to conduct surveillance of international waters and airspace, and it would be well within, in some instances, the range of those weapons.

Acting Chairman SPARKMAN. Yes. I realize that. Of course, I certainly hope we carry on that surveillance because I think it is necessary.

#### VALUE OF A CUBAN RESOLUTION

Let me ask just this: It is your view, and I think you stated that this morning, that it would be a good thing, a helpful thing, for Congress to state its attitude in the form of a resolution with the proper wording which this committee will have to hammer out?

Secretary RUSK. Yes, sir. But I did take the liberty of pointing out that the greater unanimity and the simpler such a resolution, the more effective it would be for the purposes of giving the right signals.

Acting Chairman SPARKMAN. Yes, I recall that.

My own feeling is that there is unanimity so far as the helpfulness of a statement of attitude is concerned. I think that probably would be true throughout Congress.

The matter of agreeing on the exact words may be a little more difficult because it is, to my way of thinking, a rather technical thing to get the right word in the right place.

That is all, Mr. Chairman.

#### RELEVANT INTER-AMERICAN RESOLUTIONS

Chairman RUSSELL. Mr. Secretary, I assume that there are available in the Foreign Relations Committee the following items, but I want to get President Monroe's message to Congress, a copy of the Rio Treaty of 1947, and the Punta del Este agreement of 1962 printed in our hearings. Do you think of any other agreement that should go in there? The Bogotá charter?

Secretary RUSK. I think the Caracas resolution should be, perhaps, included as a matter of general literature.

Chairman RUSSELL. Did Bogotá relate to this in anywise?

Secretary RUSK. Not specifically. If there is an indication, if you think it would be well to see how the hemispheric—

Chairman RUSSELL. I would like to have available in one little pamphlet all of the various declarations.

Secretary RUSK. All right; we will get those to you.

(The documents referred to appear in the appendix.)

## CONSTITUTIONAL ISSUES RAISED IN RESOLUTIONS

Chairman RUSSELL. Now, Mr. Secretary, I am not too sure that I know how to deal wisely in a matter of this kind, but I think we should attempt to be as nearly unanimous as possible. I see in the resolving clause of the Mansfield resolution the possibilities for a hairsplitting constitutional argument over the constitutional powers of Congress, the delegation of those powers, and the inherent powers of the President.

I am always frightened to hear people talking about inherent powers. There are some, of course, there have to be. But that is a subject of so much distortion that inherent powers always frighten me.

I have been looking at these resolutions, and I wish you would look at the Mansfield resolution, if you have it before you, on page 2.

Secretary RUSK. All right, sir.

Chairman RUSSELL. It seems to me that we might be wise to report out a joint resolution.

Acting Chairman SPARKMAN. Concurrent.

Chairman RUSSELL. Joint. As it is now, this is a concurrent resolution and, of course, if it just goes through Congress the President won't sign it. The resolution refers to the President, and I suggest a change in this language in the resolving clause to get away from this constitutional argument that is absolutely certain to result and cause the loss of 10 or 12 votes of Senators who otherwise would favor this course of action. I would suggest that we change this to say that it is the sense of the Congress that the United States is determined (a), (b), (c). That puts the whole Government, the American people and the President behind it, and it eliminates a long technical argument.

What do you think about that? I had forgotten until Senator Morse started questioning you, the argument we had on the Formosa resolution over this same thing, and this eliminates both angles of it.

We are not authorizing or directing the President, but we are expressing the combined determination of the people, the Congress and the President when he signs it.

If you think it is well for him to sign it, that is just my idea, that would bring him in to approve it.

## JOINT OR CONCURRENT RESOLUTION

Secretary RUSK. Well, on the question, Mr. Chairman, of the difference between a joint and a concurrent resolution I would appreciate an opportunity to consult on that point, because I have not really had a chance to discuss that with the President.

Chairman RUSSELL. The only difference is that the President would not sign a concurrent resolution. It would just go through the two Houses.

Secretary RUSK. Right.

Chairman RUSSELL. That is a concurrent resolution. If it is a joint resolution he has to sign it just as he does any other law.

Senator BUSH. Would the Senator yield for a question? Why do you prefer the joint resolution which would have to be signed as against the sense of the Congress?

Chairman RUSSELL. Because of the fact that this other resolution says that the President of the United States is supported in his determination. He is in this resolution, and without his signing it, some people might say, very unfairly and unjustly and untruly, but nevertheless, you would find some willing listeners, that the President had no determination. He was completely out of it.

If we are going to make it a joint resolution we would strike out "It is the sense of the Congress," and say that "The United States is determined," (a), (b), (c).

If it means anything, it means something then, otherwise we are going to get into a long constitutional debate as to whether or not the President possesses all these necessary authorities or whether we are delegating the authority to him to declare war.

This will eliminate it completely.

Senator CHURCH. Mr. President, I think unless the language is changed there is a very serious question raised as to the delegation of constitutional authority.

Chairman RUSSELL. I could not support this resolution myself; I could not vote for it.

Senator BUSH. Mr. Chairman, could I ask you a question?

Chairman RUSSELL. Yes, indeed.

Senator BUSH. You could make the change of language you suggest, which I think is good, without making it a joint resolution.

Chairman RUSSELL. Oh, yes, sir. Of course, you could. But why should we eliminate the President from it?

Senator BUSH. I am not saying I do not agree, but just offhand I would say that the only reason would be that this is a congressional resolution and is designed to express the sense of the Congress to fortify the President.

Chairman RUSSELL. We are striking out the sense. We say the United States, and why do you want to eliminate the only man in the American Government who can really speak for the United States in international relations? He ought to be in there.

Senator BUSH. If I understood your correction, your change, it was to read "*Resolved*, That it is the sense of Congress"—

Acting Chairman SPARKMAN. He then said he would strike it out.

Chairman RUSSELL. No. If we are going to make it joint, we would say, "*Resolved by the Senate (House of Representatives concurring)*, That the United States is determined," "That the United States is determined." That brings everybody in, the people, the Congress, and our only spokesman, whether you like him or not, but he is the one man in the United States who has the right to speak for the United States in foreign relations officially. We can speak our views in the Senate, but in the field of international relations, he has the initiative, and there is no way in the world that Congress or anybody else can take it away from him.

Acting Chairman SPARKMAN. I think you would have to—of course, this is minor—change this, too. You would have to strike out "The House of Representatives concurring," and say "*Resolved by the Senate and the House of Representatives in Congress assembled*," wouldn't you?

Chairman RUSSELL. We would have to correct that. That brings everybody into it.



Secretary RUSK. Mr. Chairman, I regret I do not feel able at the moment to assist in precise language on this point. I do feel I need to consult a bit further on it.

Chairman RUSSELL. I wish you would, and let us know right away because we have to take some action here. We only have until Thursday to get this perfected and the hearings printed and back to the floor.

Secretary RUSK. I will indeed, sir.

Chairman RUSSELL. And these changes, in my considered judgment, will mean the difference of 10 or 12 votes one way or the other, on this resolution, and I just do not believe it is worthwhile to split hairs on this part of it and have it look as if you have a division there, whatever reason it might be.

Secretary RUSK. If I could express two points that I—

Chairman RUSSELL. I want you to be perfectly frank with us.

Secretary RUSK. And I would want to consult others about it in the executive branch, it would be whether since the President has made an important and far-reaching declaration just 2 or 3 days ago on this matter, and since I think both you and we would agree that he also already has quite extensive authority and is exercising very extensive authority—

Chairman RUSSELL. That is correct.

Secretary RUSK. Whether the elimination of that portion of this language would lead to an implication that the Congress might feel that the President is not determined or that he does not have very extensive authority to carry out his responsibilities as Commander in Chief.

#### DELEGATION OF POWER DISCUSSED

I see also the other constitutional aspect of it, but the Congress would be unwilling to appear to delegate authority without knowing what it is that is being delegated. I think this is something—

Senator CHURCH. The follow-on language, Mr. Secretary, is so broad that I could construe this resolution as nothing other than a sweeping delegation of power, which would seem to me to weaken, if not to abrogate entirely, the power of the Congress to declare war.

Chairman RUSSELL. In my judgment this committee, at least I do not know about the Foreign Relations Committee, but I do not believe that the Armed Services Committee, is going to make a constitutional assertion that the President of the United States has the right to declare war, and that is what this does.

Acting Chairman SPARKMAN. It may do it, and I certainly would not quarrel with changing it, but Congress could not, if it said such a thing, do so. It would be without effect. Congress cannot delegate to the President the right to declare war, because that is lodged in Congress by the Constitution.

Chairman RUSSELL. We have allowed a great deal of our authority with respect to interstate commerce to be delegated. We do it by bills that have 150 pages, delegating such authority not to the President, but to the commissions.

Senator CHURCH. I think that is an uncontested question and it never will be brought to court.

Chairman RUSSELL. There is no way to get it tested because the fighting and shooting are going on then.

Secretary RUSK. I think, Mr. Chairman, since the——

Chairman RUSSELL. If you are willing to take out "and possesses all necessary authority," it is all the same with me.

Secretary RUSK. Mr. Chairman, I do not——

Chairman RUSSELL. "The President is supported in his determination"; I have no objection to that.

Secretary RUSK. I think I can say with complete confidence that there is no intent on the executive side to change the constitutional responsibilities through such a resolution.

Chairman RUSSELL. But that is a pretty broad assertion, Mr. Secretary.

Secretary RUSK. I think we should find a way to get some common language here, but I do need a chance to consult.

#### CONSTITUTIONAL QUESTIONS RAISED BY WORDING OF RESOLUTION

Chairman RUSSELL. That won't eliminate the controversy, but the same controversy was raised with respect to the Formosa resolution. The President has been challenged as to whether he was really serious in this Cuban situation. I think everybody who knows him is assured that he is, but that does not keep us from having some doubting Thomases.

Senator ENGLE. Mr. Chairman, I have no doubt but what your committee will support your position on those particular words.

Chairman RUSSELL. There is no question in my mind as to what the Senate will do about it. If you want to have a row about it, we can take it out there unchanged.

Senator BUSH. You are speaking now about taking out those words?

Chairman RUSSELL. "And possesses all necessary authority."

Senator BUSH. I would agree with that.

Secretary RUSK. I suppose the committee report could make it clear that there was no intention there to limit such powers as the President himself already possesses.

Chairman RUSSELL. Indeed not.

Secretary RUSK. There is a singular verb here.

Chairman RUSSELL. Indeed not. I am perfectly willing to go to the other extreme. But that will cause controversy on the other side.

I am perfectly willing to say the President is hereby authorized by the Congress to do all these things, even by the use of including the use of arms.

You have stressed twice there the importance of unanimity, and I was trying to think of something we could get through that nobody could vote against unless he said, "I am such a curmudgeon that I am not going to vote for anything."

Secretary RUSK. I am confident we can get some language to cover that point.

#### SUPPORT OF STATE DEPARTMENT POSITION BY DEFENSE DEPARTMENT

Chairman RUSSELL. Mr. Bundy, do you have any statement you desire to make on this matter?

Mr. BUNDY. No, sir. I came purely to respond to any questions the committees might have on matters of a military nature, the military situation.

The Department of Defense fully supports the statement Secretary Rusk has made, and the position he has presented.

Senator BUSH. I have one question, Mr. Bundy.

Chairman RUSSELL. Yes.

Senator BUSH. [Deleted.]

Senator BUSH. Thank you.

Acting Chairman SPARKMAN. Let me ask this question, Mr. Bundy. [Deleted.]

Acting Chairman SPARKMAN. I remember General LeMay, Chief of Staff of the Air Force, stating that there would be no difficulty in knocking out those missile sites.

Mr. BUNDY. [Deleted.]

Senator BUSH. May I ask one more question? If you want this answer off the record, you think it should be answered off the record, you may answer it off the record.

[Deleted.]

#### PROCEDURAL MATTERS

Chairman RUSSELL. We have with us the distinguished majority leader of the Senate, who is the author of two of these resolutions, Senator Mansfield. We have had an interesting hearing. We recognize that your duties kept you on the floor.

Do you have any comments that you care to make?

Senator MANSFIELD. No, no questions, Senator, thank you.

Chairman RUSSELL. Senator Miller, did you desire to be heard before the committee?

Senator MILLER. Mr. Chairman, I do; but I certainly would not want to detail the Secretary, unless it is your desire to have him present when I testify, and I would value any comments he might have to make. I shall not be long.

Senator MANSFIELD. Was the Secretary present when Senator Keating was testifying?

Chairman RUSSELL. I believe he was. He came in when Senator Keating testified.

Secretary RUSK. I came in while he was testifying, but I did not take part in the colloquy.

Chairman RUSSELL. Senator Thurmond, do you have any questions?

#### PUBLIC INTEREST IN CUBAN SITUATION

Senator THURMOND. Mr. Chairman, I do not have any questions especially, but I might just pass on to Secretary Rusk this information.

I visited South Carolina this past week, and without bringing up the question myself, I had several hundred people approach me about Cuba.

I want to say there is an intense interest in it, there is great concern about it, tremendous anxiety about it.

Of course, South Carolina being just next to Georgia and Florida, we are closer to Cuba than some other parts of the country are.

It is my judgment that the people want something done. They feel as if it should be done. They feel that to remain inactive and not take steps with the buildup of Russian troops in there—and, of course, there are troops, there is no question about this—that we are jeopardizing the security of this country.

I believe you stated last week that you did feel the Monroe Doctrine was being violated—at the joint hearing, you and Secretary McNamara so testified; and the people feel that way, too.

So I just wanted to pass that on to you to let you know the thinking of the people in our State, that they are more deeply concerned about this than anything I have heard them speak about since I have been a Senator.

Secretary RUSK. Thank you, Senator. I practically know, without having been there recently, if I were back in my own county in Georgia that my relatives there would be pressing me on the same subject, no question about that, Senator.

Chairman RUSSELL. You can stay until Senator Miller makes his brief statement.

Senator Miller, you may proceed.

**STATEMENT OF HON. JACK MILLER, A U.S. SENATOR FROM THE STATE OF IOWA**

Senator MILLER. Mr. Chairman, you have before you a copy of my resolution.

I do want to make it clear that I do not have any pride of authorship in it, but I would like to point out the standards under which this was drafted, and recommend to the joint committee—or the two committees that whatever resolution comes out of this group conform to these standards.

**CLARITY AND DEFINITENESS IN RESOLUTION PRESSED**

The first standard I would recommend is that the resolution that comes out be clear and ringing and definitive. I think that a so-called watered-down statement, one that is highly ambiguous, one that can be criticized for being "soft," would be worse than none at all.

I want to make clear I do not think we have to have one that is belligerent, but I think we should have one that is clear and ringing and very hard so far as firmness is concerned, just as firm as steel.

**JOINT HOUSE-SENATE ACTION URGED**

Secondly, I think both Houses ought to be on record on this. I believe to have its effectiveness it should pass both Houses rather than just one.

Third, I think it ought to be broad.

Now, we all know from our correspondence that the people are thinking in terms of Cuba.

While it was not the intention that the callup of the reservists be necessarily linked with Cuba, the fact is that the American people have so done, and I think that they will think of Cuba in terms of the resolution that will be forthcoming from these committees.

## MORE THAN CUBA IS INVOLVED

But, nevertheless, I do not think we ought to necessarily confine it to Cuba. It is more than a Cuban situation.

You will note that in my resolution I recited certain facts in the whereas clauses relating to Cuba. But I did not confine it entirely to Cuba, and I did not mention Cuba by name. There is no question but what Cuba is the one referred to in some of these clauses.

Now, another thing is that Mr. Khrushchev has made the statement that the Monroe Doctrine is dead. I believe that not to face up to that would be a grave error. I think that it is for the Congress of the United States to say whether the Monroe Doctrine is dead or not, and I think inasmuch as Mr. Khrushchev has undertaken to say that it is dead, it would be well for us to make very clear in a ringing proclamation that it is alive, and I think we ought to so state.

I also believe that it would be highly important for us to make our statement regarding the existence and aliveness of the Monroe Doctrine, that it is premised on the right of self-defense. This was done by the Senate back at the time of the adoption of the multilateral or Kellogg-Briand Treaty and, if I may, I will just read briefly from page 2 of the committee report in which it says:

The United States regards the Monroe Doctrine as a part of its national security and defense. Under the right of self-defense allowed by the treaty must necessarily be included the right to maintain the Monroe Doctrine which is a part of our system of national defense.

I recommend that be included in the resolution to make it clear that we are not going to forget about the inherent right of self-defense of this country.

I recognize that the U.N. Charter is one that we are trying to live up to, but the inherent right of self-defense is recognized as being something that is not obliged by the U.N. Charter, and I believe the failure to mention this in conjunction with our declaration regarding the viability of the Monroe Doctrine would be a mistake.

## BROAD ACTION RECOMMENDED

Now, finally, I think that this ought to be broad with respect to the action to be taken.

You will note in my resolution that I merely recommended that we authorize and direct the President to take such action as is necessary to prevent any violation of the Monroe Doctrine.

Now, such action may be in concert with the OAS or it may be unilateral. That, I think, is something for the Chief Executive to decide.

It may take the form of mere diplomatic pressures. It may take the form of economic pressures, such as the embargo that has already been put into effect.

It might take the form of a war materiel blockade such as I have recommended.

It might take the form of a general blockade, anything within the powers of the President is what I had in mind at the time I called for such action as was necessary.

I believe that if we come up with a resolution that will meet these tests that we will have something that is meaningful, we will have

something that the President feels will have the power and support of Congress fully behind him, and that it will be broad enough so that he will have plenty of flexibility needed to meet any of the dangers to our security that may arise in the Western Hemisphere.

## SENATE'S REPORT ON KELLOGG-BRIAND PACT

Chairman RUSSELL. Senator, is that the Kellogg Treaty that renounced war as an instrument of national policy?

Senator MILLER. I quoted from the Senate, an open executive session report by Mr. Borah from the Committee on Foreign Relations, Report No. 1, 70th Congress, 2d session on January 14, 1929.

Secretary RUSK. Pardon me, sir, that was a statement by Secretary Kellogg at that time, isn't that what you said?

Senator MILLER. This is the statement of the Senate Foreign Relations Committee, Mr. Secretary, which I quoted from.

Secretary RUSK. Thank you.

Senator MILLER. There are some quotations within the report, but the Senate Foreign Relations Committee made it very clear that this is a part of our self-defense philosophy. That is all I have, Mr. Chairman.

Chairman RUSSELL. We thank you very much for your contribution, Senator.

Senator Aiken, you have just come in. Do you have any questions?

Senator AIKEN. I am sorry. I had something a little more difficult than what went on here. I had a conference on the farm bill.

## NATO AND OAS CONSULTATIONS

I do not know what the Secretary of State has heretofore stated, but I did hear the first witness say this morning that you ought to consult with the other members of the Organization of American States for the purpose of collective action. Are you doing that?

Secretary RUSK. Yes, sir; and we expect to have a meeting of the Foreign Ministers not later than October 2.

Senator AIKEN. Also it was stated that you ought to consult with the other NATO nations to see if you could persuade them to stop abetting Communists by permitting their ships to be used to transport weapons and other goods from Russia, any Russian bloc to Cuba. Are you consulting with the NATO members?

Secretary RUSK. Yes, sir; we are.

Pardon me, sir, but there is some material in the record. I did go into that a little bit in the morning.

Senator AIKEN. I will have to read the record.

## POWER OF THE PRESIDENT TO SEND TROOPS ABROAD

Does the President have power to use the Armed Forces of the United States in the interests of the United States without further action by the Congress?

Secretary RUSK. Well, this is—

Senator AIKEN. Without declaring an emergency?

Secretary RUSK. This varies a great deal with the circumstances, I would think, Senator.

The President has, in fact, over the years on many occasions used the Armed Forces of the United States without direct reference to the Congress.

But here or in a situation where there may be a major use of such forces, I would think that the President would be in consultation with congressional leadership to consider how the Executive or Legislature would move together on a matter of that sort.

Senator AIKEN. What authority was exercised before the President sent the Marines into Lebanon? Was that subsequent to an act of Congress authorizing it?

Secretary RUSK. No, sir. I do not think there was an act of Congress in that particular respect.

Senator AIKEN. What authority did President Truman exercise in sending troops into Korea?

Secretary RUSK. He acted there as Commander in Chief and under the general authority also which lay in the United Nations Charter. But I might point out that he also at that time, before we put our forces in, consulted the congressional leadership, and it was the advice of the congressional leadership at that time that he proceeded as President and Commander in Chief, and under the U.N. Charter, and not call for congressional action.

Senator AIKEN. I think it is always well to consult congressional leadership when international matters are concerned, where actual violence or even financing is involved.

Secretary RUSK. Senator, I did say in connection with that this morning, in connection with such resolutions as Congress wished to pass, that this does not terminate the discourse between the President and Congress on this issue. There will be, of course, many other opportunities of consultation.

#### THE MONROE DOCTRINE TODAY

Senator AIKEN. Would you say the Monroe Doctrine fully meets all likely contingencies of today?

Secretary RUSK. No, sir.

Senator AIKEN. That it might be brought up to date?

Secretary RUSK. That it might be what?

Senator AIKEN. Brought up to date in view of the rather different circumstances from those that existed in 1823?

Secretary RUSK. The circumstances are quite different. But I did in my opening informal remarks this morning refer to the Monroe Doctrine. I find somewhat in the same terms that Senator Miller used that the Monore Doctrine is an expression of the right of self-defense of the United States. It is not the only way to state it, and it is not itself completely all-inclusive on the self-security interest of the United States.

Senator AIKEN. In view of the changing conditions of the world, the Monroe Doctrine does cover by itself the contingencies arising in the Western Hemisphere?

Secretary RUSK. We have international commitments not only by ourselves but with others that put us in a much stronger position than the Monroe Doctrine standing alone.

Senator AIKEN. Apparently it is the prerogative of each American to interpret it according to his own opinion, which is something which creates a problem.

Secretary RUSK. It is a problem both because of the changing circumstances and because we now concentrate to a large extent on a portion of the Monroe Doctrine. It was brought out this morning that the Monroe Doctrine also included our withholding direct participation of the United States from Europe.

Senator AIKEN. I think the Monroe Doctrine is as good an instrument that we have, as far as it goes, but it cannot cover all the things that happen today. Assuming that the Organization of American States refuses to cooperate in the Cuban situation and the members of NATO refuse to cooperate, what do you do then?

Secretary RUSK. I think that we, and a number of countries who feel as we do, would have to consider their acting together.

Senator AIKEN. Compatible nations will have to act together?

Secretary RUSK. Yes, sir.

Senator AIKEN. That is all.

## LEBANESE SITUATION IN 1958

Chairman RUSSELL. I was interested to hear you say, Mr. Secretary, that there was no legal basis for the sending of Marines into Lebanon.

Do you recall anything about the Middle Eastern resolution?

Secretary RUSK. I beg your pardon, sir. I did not say there was no legal basis. I said I did not recall that the actual dispatch of the Marines into Lebanon was done under an exact statute of Congress.

Chairman RUSSELL. We had passed a resolution just a short time before that that authorized the President to cooperate with and assist any nation or group of nations in the general area of the Middle East, and the United States was prepared to use Armed Forces to assist any nation or group of nations requesting assistance against armed aggression from any country controlled by international communism.

The Lebanese asked us to come in there, did they not?

Secretary RUSK. Yes, sir. I am sorry—

Chairman RUSSELL. I was in those conferences at the White House, and it all was done—

Secretary RUSK. Perhaps it was an inadvertence on my part. I thought the timing of this resolution came considerably before that.

Chairman RUSSELL. It did. But it was in effect and it said that we were prepared to use the Armed Forces to assist any country there that requested our aid.

Secretary RUSK. I was not aware, but again I would have to refresh my memory on this, sir, that a case was made at the time that the threat in Lebanon was in fact a Communist threat, and the resolution here rather specifically is aimed at a Communist threat.

Chairman RUSSELL. This was aimed at the Communists, no question about that.

Secretary RUSK. I would have to check my memory on that.

Chairman RUSSELL. We were invited into Lebanon.

Secretary RUSK. That is quite right, sir.



Senator AIKEN. What I was trying to bring out, Mr. Chairman, is whether the resolution was necessary before the President could send the marines into Lebanon or whether it was adopted as assurance that the Congress would back the President up if he did send them there.

Chairman RUSSELL. Well, that may be a case of the chicken and the egg there. But there is no question but what the President could have sent them in there whether we had the resolution or not. You may have copies of that booklet they prepared, I think you were in the State Department at the time, of the more than 100 instances where the President had used the Armed Forces without the sanction of Congress.

Secretary RUSK. All right, sir, I will be glad to get that to you. (The information referred to is as follows:)

BACKGROUND INFORMATION ON THE USE OF UNITED STATES ARMED FORCES IN FOREIGN COUNTRIES

(Report of the Committee on Foreign Affairs pursuant to H. Res. 28)

II. INSTANCES OF USE OF UNITED STATES ARMED FORCES ABROAD, 1798-1945

1798-1800—*Undeclared naval war with France.*—This contest included land actions, such as that in the Dominican Republic, city of Puerto Plata, where marines captured a French privateer under the guns of the forts.

1801-05—*Tripoli.*—The First Barbary War, including the *George Washington* and *Philadelphia* affairs and the Eaton expedition, during which a few marines landed with United States Agent William Eaton to raise a force against Tripoli in an effort to free the crew of the *Philadelphia*. Tripoli declared war but not the United States.

1806—*Mexico (Spanish territory).*—Capt. Z. M. Pike, with a platoon of troops, invaded Spanish territory at the headwaters of the Rio Grande deliberately and on orders from Gen. James Wilkinson. He was made prisoner without resistance at a fort he constructed in present day Colorado, taken to Mexico, later released after seizure of his papers. There was a political purpose, still a mystery.

1806-10—*Gulf of Mexico.*—American gunboats operated from New Orleans against Spanish and French privateers, such as LaFitte, off the Mississippi Delta, chiefly under Capt. John Shaw and Master Commandant David Porter.

1810—*West Florida (Spanish territory).*—Gov. Claiborne of Louisiana, on orders of the President, occupied with troops territory in dispute east of Mississippi as far as the Pearl River, later the eastern boundary of Louisiana. He was authorized to seize as far east as the Perdido River. No armed clash.

1812—*Amelia Island and other part of east Florida, then under Spain.*—Temporary possession was authorized by President Madison and by Congress, to prevent occupation by any other power; but possession was obtained by Gen. George Matthews in so irregular a manner that his measures were disavowed by the President.

1812-15—*Great Britain.*—War of 1812. Formally declared.

1813—*West Florida (Spanish territory).*—On authority given by Congress, General Wilkinson seized Mobile Bay in April with 600 soldiers. A small Spanish garrison gave way. Thus we advanced into disputed territory to the Perdido River, as projected in 1810. No fighting.

1813-14—*Marquesas Islands.*—Built a fort on island of Nukahiva to protect three prize ships which had been captured from the British.

1814—*Spanish Florida.*—Gen. Andrew Jackson took Pensacola and drove out the British with whom the United States was at war.

1814-25—*Caribbean.*—Engagements between pirates and American ships or squadrons took place repeatedly especially ashore and offshore about Cuba, Puerto Rico, Santo Domingo, and Yucatan. Three thousand pirate attacks on merchantmen were reported between 1815 and 1823. In 1822 Commodore James Biddle employed a squadron of two frigates, four sloops of war, two brigs, four schooners, and two gunboats in the West Indies.

1815—*Algiers*.—The Second Barbary War, declared by our enemies but not by the United States. Congress authorized an expedition. A large fleet under Decatur attacked Algiers and obtained indemnities.

1815—*Tripoli*.—After securing an agreement from Algiers, Decatur demonstrated with his squadron at Tunis and Tripoli, where he secured indemnities for offenses against us during the War of 1812.

1816—*Spanish Florida*.—United States forces destroyed Nichols Fort, called also Negro Fort, because it harbored raiders into United States territory.

1816-18—*Spanish Florida—First Seminole War*.—The Seminole Indians, whose area was a resort for escaped slaves and border ruffians, were attacked by troops under Generals Jackson and Gaines and pursued into northern Florida. Spanish posts were attacked and occupied, British citizens executed. There was neither a declaration of war nor any congressional authorization, but the Executive was sustained.

1817—*Amelia Island (Spanish territory off Florida)*.—Under orders of President Monroe, United States forces landed and expelled a group of smugglers, adventurers, and freebooters.

1818—*Oregon*.—The U.S.S. *Ontario*, dispatched from Washington, landed at the Columbia River and in August took possession. Britain had conceded sovereignty but Russia and Spain asserted claims to the area.

1820-23—*Africa*.—Naval units raided the slave traffic pursuant to the 1819 act of Congress.

1822—*Cuba*.—United States naval forces suppressing piracy landed on the northwest coast of Cuba and burned a pirate station.

1823—*Cuba*.—Brief landings in pursuit of pirates occurred April 8 near Escondido; April 16 near Cayo Blanco; July 11 at Siquapa Bay; July 21 at Cape Cruz; and October 23 at Camrioca.

1824—*Cuba*.—In October the U.S.S. *Porpoise* landed bluejackets near Matanzas in pursuit of pirates. This was during the cruise authorized in 1822.

1824—*Puerto Rico (Spanish territory)*.—Commodore David Porter with a landing party attacked the town of Fajardo which had sheltered pirates and insulted American naval officers. He landed with 200 men in November and forced an apology.

1825—*Cuba*.—In March cooperating American and British forces landed at Segua La Grande to capture pirates.

1827—*Greece*.—In October and November landing parties hunted pirates on the islands of Argenteire, Miconi, and Andross.

1831-32—*Falkland Islands*.—To investigate the capture of three American sealing vessels and to protect American interests.

1832—*Sumatra—February 6 to 9*.—To punish natives of the town of Quallah Battoo for depredations on American shipping.

1833—*Argentina—October 31 to November 15*.—A force was sent ashore at Buenos Aires to protect the interests of the United States and other countries during an insurrection.

1835-36—*Peru—December 10, 1835 to January 24, 1836, and August 31 to December 2, 1836*.—Marines protected American interests in Callao and Lima during an attempted revolution.

1836—*Mexico*.—General Gaines occupied Nacogdoches (Tex.), disputed territory, from July to December during the Texan war for independence, under orders to cross the "imaginary boundary line" if an Indian outbreak threatened.

1838-39—*Sumatra—December 24, 1838, to January 4, 1839*.—To punish natives of the towns of Quallah Battoo and Muckie (Mukki) for depredations on American shipping.

1840—*Fiji Islands—July*.—To punish natives for attacking American exploring and surveying parties.

1841—*Drummond Island, Kingsmill Group*.—To avenge the murder of a seaman by the natives.

1841—*Samoa—February 24*.—To avenge the murder of an American seaman on Upolu Island.

1842—*Mexico*.—Commodore T. A. C. Jones, in command of a squadron long cruising off California, occupied Monterey, Calif., on October 19, believing war had come. He discovered peace, withdrew, and saluted. A similar incident occurred a week later at San Diego.

1843—*Africa, November 29 to December 16*.—Four United States vessels demonstrated and landed various parties (one of 200 marines and sailors) to discourage piracy and the slave trade along the Ivory coast, etc., and to punish attacks by the natives on American seamen and shipping.

1844—*Mexico*.—President Tyler deployed our forces to protect Texas against Mexico, pending Senate approval of a treaty of annexation. (Later rejected.) He defended his action against a Senate resolution of inquiry. This was a demonstration or preparation.

1846-48—*Mexico, the Mexican War*.—President Polk's occupation of disputed territory precipitated it. War formally declared.

1849—*Smyrna*.—In July a naval force gained release of an American seized by Austrian officials.

1851—*Turkey*.—After a massacre of foreigners (including Americans) at Jaffa in January, a demonstration by our Mediterranean Squadron was ordered along the Turkish (Levant) coast. Apparently no shots fired.

1851—*Johanna Island (east of Africa), August*.—To exact redress for the unlawful imprisonment of the captain of an American whaling brig.

1852-53—*Argentina—February 3 to 12, 1852; September 17, 1852 to April (?) 1853*.—Marines were landed and maintained in Buenos Aires to protect American interests during a revolution.

1853—*Nicaragua—March 11 to 13*.—To protect American lives and interests during political disturbances.

1853-54—*Japan*.—The "opening of Japan" and the Perry Expedition.

1853-54—*Ryukya and Bonin Islands*.—Commodore Perry on three visits before going to Japan and while waiting for a reply from Japan made a naval demonstration, landing marines twice, and secured a coaling concession from the ruler of Naha on Okinawa. He also demonstrated in the Bonin Islands. All to secure facilities for commerce.

1854—*China—April 4 to June 15 or 17*.—To protect American interests in and near Shanghai during Chinese civil strife.

1854—*Nicaragua—July 9 to 15*.—San Juan del Norte (Greytown) was destroyed to avenge an insult to the American Minister to Nicaragua.

1855—*China—May 19 to 21 (?)*.—To protect American interests in Shanghai. August 3 to 5 to fight pirates near Hong Kong.

1855—*Fiji Islands—September 12 to November 4*.—To seek reparations for depredations on Americans.

1855—*Uruguay—November 25 to 29 or 30*.—United States and European naval forces landed to protect American interests during an attempted revolution in Montevideo.

1856—*Panama, Republic of New Grenada—September 19 to 22*.—To protect American interests during an insurrection.

1856—*China—October 22 to December 6*.—To protect American interests at Canton during hostilities between the British and the Chinese; and to avenge an unprovoked assault upon an unarmed boat displaying the United States flag.

1857—*Nicaragua—April to May, November to December*.—To oppose William Walker's attempt to get control of the country. In May Commander C. H. Davis of the United States Navy, with some marines, received Walker's surrender and protected his men from the retaliation of native allies who had been fighting Walker. In November and December of the same year United States vessels *Saratoga*, *Wabash*, and *Fulton* opposed another attempt of William Walker on Nicaragua. Commodore Hiram Paulding's act of landing marines and compelling the removal of Walker to the United States, was tacitly disavowed by Secretary of State Lewis Cass, and Paulding was forced into retirement.

1858—*Uruguay—January 2 to 27*.—Forces from 2 United States warships landed to protect American property during a revolution in Montevideo.

1858—*Fiji Islands—October 6 to 16*.—To chastise the natives for the murder of two American citizens.

1858-59—*Turkey*.—Display of naval force along the Levant at the request of the Secretary of State after massacre of Americans at Jaffa and mistreatment elsewhere "to remind the authorities (of Turkey) \* \* \* of the power of the United States."

1859—*Paraguay*.—Congress authorized a naval squadron to seek redress for an attack on a naval vessel in the Parana River during 1855. Apologies were made after a large display of force.

1859—*Mexico*.—Two hundred United States soldiers crossed the Rio Grande in pursuit of the Mexican bandit Cortina.

1859—*China—July 31 to August 2*.—For the protection of American interests in Shanghai.

1860—*Angoia, Portuguese West Africa—March 1*.—To protect American lives and property at Kissemo when the natives became troublesome.

1860—*Colombia, Bay of Panama*—September 27 to October 8.—To protect American interests during a revolution.

1863—*Japan*—July 16.—To redress an insult to the American flag—firing on an American vessel—at Shimonoseki.

1864—*Japan*—July 14 to August 3, approximately.—To protect the United States Minister to Japan when he visited Yedo to negotiate concerning some American claims against Japan, and to make his negotiations easier by impressing the Japanese with American power.

1864—*Japan*—September 4 to 14—*Straits of Shimonoseki*.—To compel Japan and the Prince of Nagato in particular to permit the Straits to be used by foreign shipping in accordance with treaties already signed.

1865—*Panama*—March 9 and 10.—To protect the lives and property of American residents during a revolution.

1866—*Mexico*.—To protect American residents, General Sedgwick and 100 men in November obtained surrender of Matamoros. After 3 days he was ordered by our Government to withdraw. His act was repudiated by the President.

1866—*China*—June 20 to July 7.—To punish an assault on the American consul at Newchwang; July 14, for consultation with authorities on shore; August 9, at Shanghai, to help extinguish a serious fire in the city.

1867—*Island of Formosa*—June 13.—To punish a horde of savages who were supposed to have murdered the crew of a wrecked American vessel.

1868—*Japan (Osaka, Hiogo, Nagasaki, Yokohama, and Negata)*—Mainly, February 4 to 8, April 4 to May 12, June 12 and 13.—To protect American interests during the civil war in Japan over the abolition of the Shogunate and the restoration of the Mikado.

1868—*Uruguay*—February 7 and 8, 19 to 26.—To protect foreign residents and the customhouse during an insurrection at Montevideo.

1868—*Colombia*—April 7—*at Aspinwall*.—To protect passengers and treasure in transit during the absence of local police or troops on the occasion of the death of the President of Colombia.

1870—*Mexico*, June 17 and 18.—To destroy the pirate ship *Forward*, which had been run aground about 40 miles up the Rio Tecapan.

1870—*Hawaiian Islands*—September 21.—To place the American flag at half mast upon the death of Queen Kalama, when the American consul at Honolulu would not assume responsibility for so doing.

1871—*Korea*—June 10 to 12.—To punish natives for depredations on Americans, particularly for murdering the crew of the *General Sherman* and burning the schooner, and for later firing on other American small boats taking soundings up the Salee River.

1873—*Colombia (Bay of Panama)*—May 7 to 22, September 23 to October 9.—To protect American interests during hostilities over possession of the government of the State of Panama.

1873—*Mexico*.—United States troops crossed the Mexican border repeatedly in pursuit of cattle and other thieves. There were some reciprocal pursuits by Mexican troops into our border territory. The cases were only technically invasions, if that, although Mexico protested constantly. Notable cases were at Remolina in May 1873 and at Las Cuevas in 1875. Washington orders often supported these excursions. Agreements between Mexico and the United States, the first in 1882, finally legitimized such raids. They continued intermittently, with minor disputes, until 1896.

1874—*Hawaiian Islands*—February 12 to 20.—To preserve order and protect American lives and interests during the inauguration of a new king.

1876—*Mexico*—May 18.—To police the town of Matamoros temporarily while it was without other government.

1882—*Egypt*—July 14 to 18.—To protect American interests during warfare between British and Egyptians and looting of the city of Alexandria by Arabs.

1885—*Panama (Colon)*—January 18 and 19.—To guard the valuables in transit over the Panama Railroad, and the safes and vaults of the company during revolutionary activity. In March, April, and May in the cities of Colon and Panama, to reestablish freedom of transit during revolutionary activity.

1888—*Korea*—June.—To protect American residents in Seoul during unsettled political conditions, when an outbreak of the populace was expected.

1888-89—*Samoa*—November 14, 1888, to March 20, 1889.—To protect American citizens and the consulate during a native civil war.

1888—*Haiti*—December 20.—To persuade the Haitian Government to give up an American steamer which had been seized on the charge of breach of blockade.

1889—*Hawaiian Islands*—July 30 and 31.—To protect American interests at Honolulu during a revolution.

1890—*Argentina*.—A naval party landed to protect our consulate and legation in Buenos Aires.

1891—*Haiti*.—To protect American lives and property on Navassa Island when Negro laborers got out of control.

1891—*Bering Sea*—July 2 to October 5.—To stop seal poaching.

1891—*Chile*—August 28 to 30.—To protect the American consulate and the women and children who had taken refuge in it during a revolution in Valparaiso.

1893—*Hawaii*—January 16 to April 1.—Ostensibly to protect American lives and property; actually to promote a provisional government under Sanford B. Dole. This action was disavowed by the United States.

1894—*Brazil*—January.—To protect American commerce and shipping at Rio de Janeiro during a Brazilian civil war. No landing was attempted but there was a display of naval force.

1894—*Nicaragua*—July 6 to August 7.—To protect American interests at Bluefields following a revolution.

1894-96—*Korea*—July 24, 1894 to April 3, 1896.—To protect American lives and interests at Seoul during and following the Sino-Japanese War. A guard of marines was kept at the American legation most of the time until April 1896.

1894-95—*China*.—Marines were stationed at Tientsin and penetrated to Peking for protection purposes during the Sino-Japanese War.

1894-95—*China*.—Naval vessel beached and used as a fort at Newchwang for protection of American nationals.

1895—*Colombia*—March 8 to 9.—To protect American interests during an attack on the town of Bocas del Toro by a bandit chieftain.

1896—*Nicaragua*—May 2 to 4.—To protect American interests in Corinto during political unrest.

1898—*Nicaragua*—February 7 and 8.—To protect American lives and property at San Juan del Sur.

1898—*Spain*.—The Spanish-American War. Fully declared.

1898-99—*China*—November 5, 1898, to March 15, 1899.—To provide a guard for the legation at Peking and the consulate at Tientsin during contest between the Dowager Empress and her son.

1899—*Nicaragua*.—To protect American interests at San Juan del Norte, February 22 to March 5, and at Bluefields a few weeks later in connection with the insurrection of Gen. Juan P. Reyes.

1899—*Samoa*—March 13 to May 15.—To protect American interests and to take part in a bloody contention over the succession to the throne.

1899-1901—*Philippine Islands*.—To protect American interests following the war with Spain, and to conquer the island by defeating the Filipinos in their war for independence.

1900—*China*—May 24 to September 28.—To protect foreign lives during the Boxer rising, particularly at Peking. For many years after this experience a permanent legation guard was maintained in Peking, and was strengthened at times as trouble threatened. It was still there in 1934.

1901—*Colombia (State of Panama)*—November 20 to December 4.—To protect American property on the Isthmus and to keep transit lines open during serious revolutionary disturbances.

1902—*Colombia*—April 16 to 23.—To protect American lives and property at Bocas del Toro during a civil war.

1902—*Columbia (State of Panama)*—September 17 to November 18.—To place armed guards on all trains crossing the Isthmus and to keep the railroad line open.

1903—*Honduras*—March 23 to 30 or 31.—To protect the American consulate and the steamship wharf at Puerto Cortez during a period of revolutionary activity.

1903—*Dominican Republic*—March 30 to April 21.—To protect American interests in the city of Santo Domingo during a revolutionary outbreak.

1903—*Syria*—September 7 to 12.—To protect the American consulate in Beirut when a local Moslem uprising was feared.

1903-14—*Panama*.—To protect American interests and lives during and following the revolution for independence from Colombia over construction of the Isth-

mian Canal. With brief intermissions, United States Marines were stationed on the Isthmus from November 4, 1903, to January 21, 1914, to guard American interests.

1904—*Dominican Republic*—January 2 to February 11.—To protect American interests in Puerto Plata and Sosua and Santo Domingo City during revolutionary fighting.

1904-5—*Korea*—January 5, 1904, to November 11, 1905.—To guard the American Legation in Seoul.

1904—*Tangier, Morocco*.—"We want either Perdicaris alive or Raisuli dead." Demonstration by a squadron to force release of a kidnapped American. Marine guard landed to protect consul general.

1904—*Panama*—November 17 to 24.—To protect American lives and property at Ancon at the time of a threatened insurrection.

1904-05—*Korea*.—Marine guard sent to Seoul for protection during Russo-Japanese War.

1906-9—*Cuba*—September 1906 to January 23, 1909.—Intervention to restore order, protect foreigners, and establish a stable government after serious revolutionary activity.

1907—*Honduras*—March 18 to June 8.—To protect American interests during a war between Honduras and Nicaragua; troops were stationed for a few days or weeks in Trujillo, Ceiba, Puerto Cortez, San Pedro, Laguna, and Choloma.

1910—*Nicaragua*—February 22.—During a civil war, to get information of conditions at Corinto; May 19, to September 4, to protect American interests at Bluefields.

1911—*Honduras*—January 26 and some weeks thereafter.—To protect American lives and interests during a civil war in Honduras.

1911—*China*.—Approaching stages of the nationalist revolution. An ensign and 10 men in October tried to enter Wuchang to rescue missionaries but retired on being warned away.

A small landing force guarded American private property and consulate at Hankow in October.

A marine guard was established in November over the cable stations at Shanghai.

Landing forces were sent for protection to Nanking, Chinkiang, Taku and elsewhere.

1912—*Honduras*.—Small force landed to prevent seizure by the Government of an American-owned railroad at Puerto Cortez. Forces withdrawn after the United States disapproved the action.

1912—*Panama*.—Troops, on request of both political parties, supervised elections outside the Canal Zone.

1912—*Cuba*—June 5 to August 5.—To protect American interests in the Province of Oriente, and in Habana.

1912—*China*—August 24 to 26, on Kentucky Island, and August 26 to 30 at Camp Nicholson.—To protect Americans and American interests during revolutionary activity.

1912—*Turkey*—November 18 to December 3.—To guard the American legation at Constantinople during Balkan War.

1912-25—*Nicaragua*—August to November 1912.—To protect American interests during an attempted revolution. A small force serving as a legation guard and as a promoter of peace and governmental stability, remained until August 5, 1925.

1912-41—*China*.—The disorders which began with the Kuomintang rebellion in 1912, which were redirected by the invasion of China by Japan and finally ended by war between Japan and the United States in 1941, led to demonstrations and land parties for protection in China continuously and at many points from 1912 on to 1941. The guard at Peking and along the route to the sea was maintained until 1941. In 1927, the United States had 5,670 troops ashore in China and 44 naval vessels in its waters. In 1933 we had 3,027 armed men ashore. All this protective action was in general terms based on treaties with China ranging from 1858 to 1901.

1913—*Mexico*—September 5 to 7.—A few marines landed at Ciaris Estero to aid in evacuating American citizens and others from the Yaqui Valley, made dangerous for foreigners by civil strife.

1914—*Haiti*—January 29 to February 9, February 20 to 21, October 19.—To protect American nationals in a time of dangerous unrest.

1914—*Dominican Republic*—June and July.—During a revolutionary movement, United States naval forces by gunfire stopped the bombardment of Puerto Plata, and by threat of force maintained Santo Domingo City as a neutral zone.

1914-17—*Mexico*.—The undeclared Mexican-American hostilities following the *Dolphin* affair and Villa's raids included capture of Vera Cruz and later Pershing's expedition into northern Mexico.

1915-34—*Haiti*—July 28, 1915, to August 15, 1934.—To maintain order during a period of chronic and threatened insurrection.

1916-24—*Dominican Republic*—May 1916 to September 1924.—To maintain order during a period of chronic and threatened insurrection.

1917-18.—World War I. Fully declared.

1917-22—*Cuba*.—To protect American interests during an insurrection and subsequent unsettled conditions. Most of the United States armed forces left Cuba by August 1919, but two companies remained at Camaguey until February 1922.

1918-19—*Mexico*.—After withdrawal of the Pershing expedition, our troops entered Mexico in pursuit of bandits at least three times in 1918 and six in 1919. In August 1918 American and Mexican troops fought at Nogales.

1918-20—*Panama*.—For police duty according to treaty stipulations, at Chiriqui, during election disturbances and subsequent unrest.

1918-20—*Soviet Russia*.—Marines were landed at and near Vladivostok in June and July to protect the American consulate and other points in the fighting between the Bolsheviki troops and the Czech Army which had traversed Siberia from the western front. A joint proclamation of emergency government and neutrality was issued by the American, Japanese, British, French, and Czech commanders in July and our party remained until late August.

In August the project expanded. Then 7,000 men were landed in Vladivostok and remained until January 1920, as part of an allied occupation force.

In September 1918, 5,000 American troops joined the allied intervention force at Archangel, suffered 500 casualties and remained until June 1919.

A handful of marines took part earlier in a British landing on the Murman coast (near Norway) but only incidentally.

All these operations were to offset effects of the Bolsheviki revolution in Russia and were partly supported by Czarist or Kerensky elements. No war was declared. Bolsheviki elements participated at times with us but Soviet Russia still claims damages.

1919—*Honduras*—September 8 to 12.—A landing force was sent ashore to maintain order in a neutral zone during an attempted revolution.

1920-22—*Russia (Siberia)* February 16, 1920, to November 19, 1922.—A marine guard to protect the United States radio station and property on Russian Island, Bay of Vladivostok.

1920—*China*—March 14.—A landing force was sent ashore for a few hours to protect lives during a disturbance at Kiukiang.

1920—*Guatemala*—April 9 to 27.—To protect the American Legation and other American interests, such as the cable station, during a period of fighting between Unionists and the Government of Guatemala.

1921—*Panama-Costa Rica*.—American naval squadrons demonstrated in April on both sides of the Isthmus to prevent war between the two countries over a boundary dispute.

1922—*Turkey*—September and October.—A landing force was sent shore with consent of both Greek and Turkish authorities, to protect American lives and property when the Turkish Nationalists entered Smyrna.

1924—*Honduras*—February 28 to March 31, September 10 to 15.—To protect American lives and interests during election hostilities.

1924—*China*—September.—Marines were landed to protect Americans and other foreigners in Shanghai during Chinese factional hostilities.

1925—*China*—January 15 to August 29.—Fighting of Chinese factions accompanied by riots and demonstrations in Shanghai necessitated landing American forces to protect lives and property in the International Settlement.

1925—*Honduras*—April 19 to 21.—To protect foreigners at La Ceiba during a political upheaval.

1925—*Panama*—October 12 to 23.—Strikes and rent riots led to the landing of about 600 American troops to keep order and protect American interests.

1926-33—*Nicaragua*—May 7 to June 5, 1926; August 27, 1926, to January 3, 1933.—The coup d'etat of General Chamorro aroused revolutionary activities leading to the landing of American marines to protect the interests of the United

States. United States forces came and went, but seem not to have left the country entirely until January 3, 1933. Their work included activity against the outlaw leader Sandino in 1928.

1926—*China—August and September.*—The Nationalist attack on Hankow necessitated the landing of American naval forces to protect American citizens. A small guard was maintained at the consulate general even after September 16, when the rest of the forces were withdrawn. Likewise, when Nationalist forces captured Kiukiang, naval forces were landed for the protection of foreigners November 4 to 6.

1927—*China—February.*—Fighting at Shanghai caused American naval forces and marines to be increased there. In March a naval guard was stationed at the American consulate at Nanking after Nationalist forces captured the city. American and British destroyers later used shell fire to protect Americans and other foreigners. "Following this incident additional forces of marines and naval vessels were ordered to China and stationed in the vicinity of Shanghai and Tientsin."

1933—*Cuba.*—During a revolution against President Gerardo Machado naval forces demonstrated but no landing was made.

1940—*Newfoundland, Bermuda, St. Lucia, Bahamas, Jamaica, Antigua, Trinidad, and British Guiana.*—Troops were sent to guard air and naval bases obtained by negotiation with Great Britain. These were sometimes called lend-lease bases.

1941—*Greenland.*—Taken under protection of the United States in April.

1941—*Netherlands (Dutch Guiana).*—In November the President ordered American troops to occupy Dutch Guiana but by agreement with the Netherlands government in exile. Brazil cooperated to protect aluminum ore supply from the bauxite mines in Surinam.

1941—*Iceland.*—Taken under the protection of the United States, with consent of its Government, for strategic reasons.

1941—*Germany.*—Sometime in the spring the President ordered the Navy to patrol ship lanes to Europe. By July our warships were convoying and by September were attacking German submarines. There was no authorization of Congress or declaration of war. In November, the Neutrality Act was partly repealed to protect military aid to Britain, Russia, etc.

1941-45—*Germany, Italy, Japan, etc.*—World War II. Fully declared.

1942—*Labrador.*—Army-Navy air bases established.

Acting Chairman SPARKMAN. Of course, in the Near East situation isn't it true that he had the tripartite agreement to stand on even without the resolution? I never did think that the Middle East resolution was necessary at all.

Senator AIKEN. No; I do not think so. I think it was an indication that the Congress intended to back up the President if he did send the Marines in there.

Acting Chairman SPARKMAN. Yes.

Chairman RUSSELL. We had a terrific legislative battle about whether it was necessary or not. If you can point out in this where it is necessary I would like it pointed out.

Acting Chairman SPARKMAN. I do not think it is, but it is a good thing to show the backing.

Chairman RUSSELL. So did the Middle East resolution; at least we thought it did. We fought over it for 2 weeks, and there were 18 or 20 votes against it.

Secretary RUSK. Mr. Chairman, the report that you asked for, I gather, is almost a collector's item because it has been used so much, but we do have a citation, and we will confer—

Chairman RUSSELL. Is that entitled "Powers of the President in Sending Armed Forces Outside the United States"?

Secretary RUSK. It is "Union Calendar No. 22, House Report, 82d Congress, 1st Session, Background Information on the Use of U.S. Armed Forces in Foreign Countries."



Chairman RUSSELL. That is right. I know it impressed me tremendously. I sat up all one night reading it when it first came out because it had several historical situations there which I had never heard about. This may be a good occasion to seize on this important resolution to have it reprinted.

Secretary RUSK. It is most valuable as a study of it.

Mr. CHAYES. It could be brought up to date because it goes only to 1951.

Chairman RUSSELL. Yes, sir.

Senator AIKEN. You may recall Russia said that if we sent Marines into Lebanon it would mean war. We sent them in and, in fact, they came out in 2 or 3 months' time, as I recall it.

Chairman RUSSELL. That was a remarkable deception we practiced on ourselves, apparently, about Lebanon. But a lot of one battle group got a nice long ride, we rushed airplanes over to Germany and flew them down into Turkey and then into Lebanon. The Marines got wet going ashore, but they were welcomed by all the bathing beauties in Lebanon. [Laughter.]

Acting Chairman SPARKMAN. I do not recall anything else I wanted to discuss.

Chairman RUSSELL. Does anyone else have any further questions? If not, thank you, Mr. Secretary, for your cooperation.

(Whereupon, at 3:40 p.m., the committees adjourned.)

*Not done  
to 1942  
only*

## APPENDICES

### APPENDIX A

#### THE MONROE DOCTRINE

(Excerpts from President Monroe's Message to Congress, December 2, 1823)

At the proposal of the Russian Imperial Government, made through the minister of the Emperor residing here, a full power and instructions have been transmitted to the minister of the United States at St. Petersburg to arrange by amicable negotiation the respective rights and interests of the two nations on the northwest coast of this continent. A similar proposal has been made by his Imperial Majesty to the Government of Great Britain, which has likewise been acceded to. The Government of the United States has been desirous by this friendly proceeding of manifesting the great value which they have invariably attached to the friendship of the Emperor and their solicitude to cultivate the best understanding with his Government. In the discussions to which this interest has given rise and in the arrangements by which they may terminate, the occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonialization by any European powers. \* \* \*

It was stated at the commencement of the last session that a great effort was then making in Spain and Portugal to improve the condition of the people of those countries, and that it appeared to be conducted with extraordinary moderation. It need scarcely be remarked that the result has been so far very different from what was then anticipated. Of events in that quarter of the globe, with which we have so much intercourse and from which we derive our origin, we have always been anxious and interested spectators. The citizens of the United States cherish sentiments the most friendly in favor of the liberty and happiness of their fellow men on that side of the Atlantic. In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective Governments; and to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the Governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States. In the war between those new Governments and Spain we declared our neutrality at the time of their recognition, and to this we have adhered, and shall continue to adhere, provided no change shall occur which, in the judgment of the competent au-

thorities of this Government, shall make a corresponding change on the part of the United States indispensable to their security.

The late events in Spain and Portugal show that Europe is still unsettled. Of this important fact no stronger proof can be adduced than that the allied powers should have thought it proper, on any principle satisfactory to themselves, to have interposed by force in the internal concerns of Spain. To what extent such interposition may be carried, on the same principle is a question in which all independent powers whose governments differ from theirs are interested, even those most remote, and surely none more so than the United States. Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government *de facto* as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy, meeting in all instances the just claims of every power, submitting to injuries from none. But in regard to those continents circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can anyone believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition in any form with indifference. If we look to the comparative strength and resources of Spain and those new governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves, in the hope that other powers will pursue the same course. \* \* \*

#### APPENDIX B

##### INTER-AMERICAN TREATY OF RECIPROCAL ASSISTANCE, SEPTEMBER 2, 1947

In the name of their Peoples, the Governments represented at the Inter-America Conference for the Maintenance of Continental Peace and Security, desirous of consolidating and strengthening their relations of friendship and good neighborliness, and

Considering:

That Resolution VIII of the Inter-American Conference on Problems of War and Peace, which met in Mexico City, recommended the conclusion of a treaty to prevent and repel threats and acts of aggression against any of the countries of America;

That the High Contracting Parties reiterate their will to remain united in an inter-American system consistent with the purposes and principles of the United Nations, and reaffirm the existence of the agreement which they have concluded concerning those matters relating to the maintenance of international peace and security which are appropriate for regional action;

That the High Contracting Parties reaffirm their adherence to the principles of inter-American solidarity and cooperation, and especially to those set forth in the preamble and declarations of the Act of Chapultepec, all of which should be understood to be accepted as standards of their mutual relations and as the juridical basis of the Inter-American System;

That the American States propose, in order to improve the procedures for the pacific settlement of their controversies, to conclude the treaty concerning the "Inter-American Peace System" envisaged in Resolutions IX and XXXIX of the Inter-American Conference on Problems of War and Peace;

That the obligation of mutual assistance and common defense of the American Republics is essentially related to their democratic ideals and to their will to cooperate permanently in the fulfillment of the principles and purposes of a policy of peace;

That the American regional community affirms as a manifest truth that juridical organization is a necessary prerequisite of security and peace, and that peace is founded on justice and moral order and, consequently, on the international recognition and protection of human rights and freedoms, on the indispensable well-being of the people, and on the effectiveness of democracy for the international realization of justice and security;

Have resolved, in conformity with the objectives stated above, to conclude the following Treaty, in order to assure peace, through adequate means, to provide for effective reciprocal assistance to meet armed attacks against any American State, and in order to deal with threats of aggression against any of them:

## ARTICLE 1

The High Contracting Parties formally condemn war and undertake in their international relations not to resort to the threat or the use of force in any manner inconsistent with the provisions of the Charter of the United Nations or of this Treaty.

## ARTICLE 2

As a consequence of the principle set forth in the preceding Article, the High Contracting Parties undertake to submit every controversy which may arise between them to methods of peaceful settlement and to endeavor to settle any such controversy among themselves by means of the procedures in force in the Inter-American System before referring it to the General Assembly or the Security Council of the United Nations.

## ARTICLE 3

1. The High Contracting Parties agree that an armed attack by any State against an American State shall be considered as an attack against all the American States and, consequently, each one of the said Contracting Parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations.

2. On the request of the State or States directly attacked and until the decision of the Organ of Consultation of the Inter-American System, each one of the Contracting Parties may determine the immediate measures which it may individually take in fulfillment of the obligation contained in the preceding paragraph and in accordance with the principle of continental solidarity. The Organ of Consultation shall meet without delay for the purpose of examining those measures and agreeing upon the measures of a collective character that should be taken.

3. The provisions of this Article shall be applied in case of any armed attack which takes place within the region described in Article 4 or within the territory of an American State. When the attack takes place outside of the said areas, the provisions of Article 6 shall be applied.

4. Measures of self-defense provided for under this Article may be taken until the Security Council of the United Nations has taken the measures necessary to maintain international peace and security.

## ARTICLE 4

The region to which this Treaty refers is bounded as follows: beginning at the North Pole; thence due south to a point 74 degrees north latitude, 10 degrees west longitude; thence by a rhumb line to a point 47 degrees 30 minutes north latitude, 50 degrees west longitude; thence by a rhumb line to a point 35 degrees north latitude, 60 degrees west longitude; thence due south to a point in 20 degrees north latitude; thence by a rhumb line to a point 5 degrees north latitude, 24 degrees west longitude; thence due south to the South Pole; thence due north to a point 30 degrees south latitude, 90 degrees west longitude; thence by a rhumb line to a point on the Equator at 97 degrees west longitude; thence by a rhumb line to a point 15 degrees north latitude, 120 degrees west longitude; thence by a rhumb line to a point 50 degrees north latitude, 170 degrees east longitude; thence due north to a point in 54 degrees north latitude; thence by a rhumb line to a point 65 degrees 30 minutes north latitude, 168 degrees 58 minutes 5 seconds west longitude; thence due north to the North Pole.

## ARTICLE 5

The High Contracting Parties shall immediately send to the Security Council of the United Nations, in conformity with Articles 51 and 54 of the Charter of the United Nations, complete information concerning the activities undertaken or in contemplation in the exercise of the right of self-defense or for the purpose of maintaining inter-American peace and security.

## ARTICLE 6

If the inviolability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an aggression which is not an armed attack or by an extra-continental or intra-continental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the Continent.

## ARTICLE 7

In the case of a conflict between two or more American States, without prejudice to the right of self-defense in conformity with Article 51 of the Charter of the United Nations, the High Contracting Parties, meeting in consultation shall call upon the contending States to suspend hostilities and restore matters to the *statu quo ante bellum*, and shall take in addition all other necessary measures to reestablish or maintain inter-American peace and security and for the solution of the conflict by peaceful means. The rejection of the pacifying action will be considered in the determination of the aggressor and in the application of the measures which the consultative meeting may agree upon.

## ARTICLE 8

For the purposes of this Treaty, the measures on which the Organ of Consultation may agree will comprise one or more of the following: recall of chiefs of diplomatic missions; breaking of diplomatic relations; breaking of consular relations; partial or complete interruption of economic relations or of rail, sea, air, postal, telegraphic, telephonic, and radiotelephonic or radio telegraphic communications; and use of armed force.

## ARTICLE 9

In addition to other acts which the Organ of Consultation may characterize as aggression, the following shall be considered as such:

- a. Unprovoked armed attack by a State against the territory, the people, or the land, sea or air forces of another State;
- b. Invasion, by the armed forces of a State, of the territory of an American State, through the trespassing of boundaries demarcated in accordance with a treaty, judicial decision, or arbitral award, or, in the absence of frontiers thus demarcated, invasion affecting a region which is under the effective jurisdiction of another State.

## ARTICLE 10

None of the provisions of this Treaty shall be construed as impairing the rights and obligations of the High Contracting Parties under the Charter of the United Nations.

## ARTICLE 11

The consultations to which this Treaty refers shall be carried out by means of the Meetings of Ministers of Foreign Affairs of the American Republics which have ratified the Treaty, or in the manner or by the organ which in the future may be agreed upon.

## ARTICLE 12

The Governing Board of the Pan American Union may act provisionally as an organ of consultation until the meeting of the Organ of Consultation referred to in the preceding Article takes place.

## ARTICLE 13

The consultations shall be initiated at the request addressed to the Governing Board of the Pan American Union by any of the Signatory States which has ratified the Treaty.

## ARTICLE 14

In the voting referred to in this Treaty only the representatives of the Signatory States which have ratified the Treaty may take part.

## ARTICLE 15

The Governing Board of the Pan American Union shall act in all matters concerning this Treaty as an organ of liaison among the Signatory States which have ratified this Treaty and between these States and the United Nations.

## ARTICLE 16

The decisions of the Governing Board of the Pan American Union referred to in Articles 13 and 15 above shall be taken by an absolute majority of the Members entitled to vote.

## ARTICLE 17

The Organ of Consultation shall take its decisions by a vote of two-thirds of the Signatory States which have ratified the Treaty.

## ARTICLE 18

In the case of a situation or dispute between American States, the parties directly interested shall be excluded from the voting referred to in two preceding Articles.

## ARTICLE 19

To constitute a quorum in all the meetings referred to in the previous Articles, it shall be necessary that the number of States represented shall be at least equal to the number of votes necessary for the taking of the decision.

## ARTICLE 20

Decisions which require the application of the measures specified in Article 8 shall be binding upon all the Signatory States which have ratified this Treaty, with the sole exception that no State shall be required to use armed force without its consent.

## ARTICLE 21

The measures agreed upon by the Organ of Consultation shall be executed through the procedures and agencies now existing or those which may in the future be established.

## ARTICLE 22

This Treaty shall come into effect between the States which ratify it as soon as the ratifications of two-thirds of the Signatory States have been deposited.

## ARTICLE 23

This Treaty is open for signature by the American States at the city of Rio de Janeiro, and shall be ratified by the Signatory States as soon as possible in accordance with their respective constitutional processes. The ratifications shall be deposited with the Pan American Union, which shall notify the Signatory States of each deposit. Such notification shall be considered as an exchange of ratifications.

## ARTICLE 24

The present Treaty shall be registered with the Secretariat of the United Nations through the Pan American Union, when two-thirds of the Signatory States have deposited their ratifications.

## ARTICLE 25

This treaty shall remain in force indefinitely, but may be denounced by any High Contracting Party by a notification in writing to the Pan American Union, which shall inform all the other High Contracting Parties of each notification of denunciation received. After the expiration of two years from the date of the receipt by the Pan American Union of a notification of denunciation by any High Contracting Party, the present Treaty shall cease to be in force and with respect to such State, but shall remain in full force and effect with respect to all the other High Contracting Parties.

## ARTICLE 26

The principles and fundamental provisions of this Treaty shall be incorporated in the Organic Pact of the Inter-American System.

In witness whereof, the undersigned Plenipotentiaries, having deposited their full powers found to be in due and proper form, sign this Treaty on behalf of their respective Governments, on the dates appearing opposite their signatures.

Done in the city of Rio de Janeiro, in four texts respectively in the English, French, Portuguese and Spanish languages, on the second of September nineteen hundred forty-seven.

*Reservation of Honduras:*

The Delegation of Honduras, in signing the present Treaty and in connection with Article 9, section (b), does so with the reservation that the boundary between Honduras and Nicaragua is definitely demarcated by the Joint Boundary Commission of nineteen hundred and nineteen hundred and one, starting from a point in the Gulf of Fonseca, in the Pacific Ocean, to Portillo de Teotecacinte and, from this point to the Atlantic, by the line that His Majesty the King of Spain's arbitral award established on the twenty third of December of nineteen hundred and six.

## APPENDIX C

FINAL ACT OF THE EIGHTH MEETING OF CONSULTATION OF MINISTERS OF FOREIGN AFFAIRS, SERVING AS ORGAN OF CONSULTATION IN APPLICATION OF THE INTER-AMERICAN TREATY OF RECIPROCAL ASSISTANCE, PUNTA DEL ESTE, URUGUAY, JANUARY 22-31, 1962

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance, was held in the city of Punta del Este, Uruguay, from January 22 to 31, 1962.

The Meeting was convoked by a resolution of the Council of the Organization of American States adopted on December 4, 1961, the text of which is as follows:  
The Council of the Organization of American States,

*Considering:*

The note presented by the Delegation of Colombia, dated November 9, 1961, in which it requests the convocation of a Meeting of Consultation of Ministers of Foreign Affairs, in accordance with Article 6 of the Inter-American Treaty of Reciprocal Assistance, to consider the threats to the peace and to the political independence of the American states that might arise from the intervention of extracontinental powers directed toward breaking American solidarity,

*Resolves:*

1. To convoke a Meeting of Consultation of Ministers of Foreign Affairs to serve as Organ of Consultation, in accordance with Articles 6 and 11 of the Inter-American Treaty of Reciprocal Assistance, in order to consider the threats to the peace and to the political independence of the American states referred to in the preamble of this resolution, and particularly to point out the various type of threats to the peace or certain acts that, in the event they occur, justify the application of measures for the maintenance of the peace and security, pursuant to Chapter V of the Charter of the Organization of American States and the provisions of the Inter-American Treaty of Reciprocal Assistance, and to determine the measures that it is advisable to take for the maintenance of the peace and security of the Continent.

2. To set January 10, 1962, as the date for the inauguration of the Meeting.

3. To authorize the Chairman of the Council to present to the Council, at the appropriate time, after consultation with the representatives of the member states, a recommendation on the site of the Meeting of Consultation.

On December 22, 1961, the same Council modified the provisions as to site and date of the meeting by a resolution that reads as follows:

The Council of the Organization of American States

*Resolves:*

1. To thank the National Council of the Government of Uruguay and accept its generous offer to be host, in Punta del Este, Uruguay, to the Eighth Meeting

of Consultation of Ministers of Foreign Affairs to Serve as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance, which was convoked by a resolution of December 4, 1961, of the Council of the Organization.

2. To set the date of January 22, 1962, for the opening of the Meeting.

The Members of the Meeting, in the order of precedence determined by lot, are listed below:

Panama: His Excellency Galileo Solís, Minister of Foreign Affairs;  
 Paraguay: His Excellency Raúl Sapena Pastor, Minister of Foreign Affairs;  
 Cuba: His Excellency Osvaldo Dorticós Torcedo, Minister of Foreign Affairs;  
 Nicaragua: His Excellency René Schick, Minister of Foreign Affairs;  
 Honduras: His Excellency Andrés Alvarado Puerto, Minister of Foreign Affairs;  
 El Salvador: His Excellency Rafael Eguizábal Tobias, Minister of Foreign Affairs;  
 Argentina: His Excellency Miguel Angel Cárcano, Minister of Foreign Affairs;  
 Peru: His Excellency Luis Alvarado G., Minister of Foreign Affairs;  
 Chile: His Excellency Carlos Martínez Sotomayor, Minister of Foreign Affairs;  
 Colombia: His Excellency José Joaquín Caicedo Castilla, Minister of Foreign Affairs;  
 Bolivia: His Excellency José Fellman Velarde, Minister of Foreign Affairs;  
 Costa Rica: His Excellency Alfredo Vargas Fernández, Minister of Foreign Affairs;  
 Mexico: His Excellency Manuel Tello, Secretary of Foreign Affairs;  
 Venezuela: His Excellency Marcos Falcón Briceño, Minister of Foreign Affairs;  
 Haiti: His Excellency René Chalmers, Secretary of State for Foreign Affairs;  
 Guatemala: His Excellency Jesús Unda Murillo, Minister of Foreign Affairs;  
 Dominican Republic: His Excellency José Antonio Bonilla Atilés, Minister of Foreign Affairs;  
 Ecuador: His Excellency Francisco Acosta Yépez, Minister of Foreign Affairs;  
 United States of America: His Excellency Dean Rusk, Secretary of State;  
 Brazil: His Excellency Francisco Clementino de San Tiago Dantas, Minister of Foreign Affairs;  
 Uruguay: His Excellency Homero Martínez Montero, Minister of Foreign Affairs

The Meeting was also attended by His Excellency José A. Mora, Secretary General of the Organization of American States.

His Excellency Eduardo Víctor Haedo, President of the National Council of Government of Uruguay, opened the Meeting on the afternoon of January 22, 1962. At the inaugural session the speakers were: His Excellency Homero Martínez Montero, Minister of Foreign Affairs of Uruguay; His Excellency Alfredo Vargas Fernández, Minister of Foreign Affairs of Costa Rica; and His Excellency José A. Mora, Secretary General of the Organization of American States. The Government of the Republic of Uruguay designated His Excellency Homero Martínez Montero, Minister of Foreign Affairs of that country, as Provisional President of the Meeting. Mr. Martínez was elected Permanent President at the first plenary session, held on January 23. At the same session His Excellency Galileo Solís, Minister of Foreign Affairs of Panamá, was elected Vice President of the Meeting.

Pursuant to the Regulations of the Meeting, the Government of the Republic of Uruguay appointed Mr. Gustavo Margariños, as Secretary General of the Meeting.

The Meeting was governed by the Regulations of the Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance, approved by the Council of the Organization of American States at its meeting of July 29, 1960.

In accordance with the Regulations, the Meeting designated a Credentials Committee composed of El Salvador, Mexico, and Uruguay. A Style Committee composed of Colombia, Haiti, United States of America, and Brazil was also appointed.

In conformity with the provisions of Article 20 of the Regulations, a General Committee, composed of all the Members, was established to consider the topics of the Meeting and to submit its conclusions to a plenary session of the Meeting for approval. The General Committee appointed His Excellency Marcos Falcón Briceño, Minister of Foreign Affairs of Venezuela, and His Excellency Alfredo Vargas Fernández, Minister of Foreign Affairs of Costa Rica, as Chairman and



Rapporteur, respectively. When the Minister of Foreign Affairs of Costa Rica found it necessary to return to his country, His Excellency Rafael J. Oreamuno, Special Delegate from the same country, was elected to serve as Rapporteur.

At the closing session of the Meeting, which took place on January 31, this Final Act was signed. At that session addresses were given by His Excellency Homero Martínez Montero, Minister of Foreign Affairs of Uruguay, and His Excellency Luis Alvarado G, Minister of Foreign Affairs of Peru.

As a result of their deliberations, the Eighth Meeting of Consultation of Ministers of Foreign Affairs approved the following resolutions:

#### I. COMMUNIST OFFENSIVE IN AMERICA

1. The Ministers of Foreign Affairs of the American republics, convened in their Eighth Meeting of Consultation, declare that the continental unity and the democratic institutions of the hemisphere are now in danger.

The Ministers have been able to verify that the subversive offensive of communist governments, their agents and the organizations which they control, has increased in intensity. The purpose of this offensive is the destruction of democratic institutions and the establishment of totalitarian dictatorships at the service of extracontinental powers. The outstanding facts in this intensified offensive are the declarations set forth in official documents of the directing bodies of the international communist movement, that one of its principal objectives is the establishment of communist regimes in the underdeveloped countries and in Latin America; and the existence of a Marxist-Leninist government in Cuba which is publicly aligned with the doctrine and foreign policy of the communist powers.

2. In order to achieve their subversive purposes and hide their true intentions, the communist governments and their agents exploit the legitimate needs of the less-favored sectors of the population and the just national aspirations of the various peoples. With the pretext of defending popular interests, freedom is suppressed, democratic institutions are destroyed, human rights are violated and the individual is subjected to materialistic ways of life imposed by the dictatorship of a single party. Under the slogan of "anti-imperialism" they try to establish an oppressive, aggressive, imperialism, which subordinates the subjugated nations to the militaristic and aggressive interests of extracontinental powers. By maliciously utilizing the very principles of the inter-American system, they attempt to undermine democratic institutions and to strengthen and protect political penetration and aggression. The subversive methods of communist governments and their agents constitute one of the most subtle and dangerous forms of intervention in the internal affairs of other countries.

3. The Ministers of Foreign Affairs alert the peoples of the hemisphere to the intensification of the subversive offensive of communist governments, their agents, and the organizations that they control and to the tactics and methods that they employ and also warn them of the dangers this situation represents to representative democracy, to respect for human rights, and to the self-determination of peoples.

The principles of communism are incompatible with the principle of the inter-American system.

4. Convinced that the integrity of the democratic revolution of the American states can and must be preserved in the face of the subversive offensive of communism, the Ministers of Foreign Affairs proclaim the following basic political principles:

a. The faith of the American peoples in human rights, liberty, and national independence as a fundamental reason for their existence, as conceived by the founding fathers who destroyed colonialism and brought the American republics into being;

b. The principle of nonintervention and the right of peoples to organize their way of life freely in the political, economic, and cultural spheres, expressing their will through free elections, without foreign interference. The fallacies of communist propaganda cannot and should not obscure or hide the difference in philosophy which these principles represent when they are expressed by a democratic American country, and when communist governments and their agents attempt to utilize them for their own benefit;

c. The repudiation of repressive measures which, under the pretext of isolating or combatting communism, may facilitate the appearance or strengthening of reactionary doctrines and methods which attempt to re-

press ideas of social progress and to confuse truly progressive and democratic labor organizations and cultural and political movements with communist subversion;

*d.* The affirmation that communism is not the way to achieve economic development and the elimination of social injustice in America. On the contrary, a democratic regime can encompass all the efforts for economic advancement and all of the measures for improvement and social progress without sacrificing the fundamental values of the human being. The mission of the peoples and governments of the hemisphere during the present generation is to achieve an accelerated development of their economies and to put an end to poverty, injustice, illness, and ignorance as was agreed in the Charter of Punta del Este; and

*e.* The most essential contribution of each American state in the collective effort to protect the inter-American system against communism is a steadily greater respect for human rights, improvement in democratic institutions and practices, and the adoption of measures that truly express the impulse for a revolutionary change in the economic and social structures of the American republics.

## II. SPECIAL CONSULTATIVE COMMITTEE ON SECURITY AGAINST THE SUBVERSIVE ACTION OF INTERNATIONAL COMMUNISM

### *Whereas:*

International communism makes use of highly complex techniques of subversion in opposing which certain states may benefit from mutual advice and support;

The American states are firmly united for the common goal of fighting the subversive action of international communism and for the preservation of democracy in the Americas, as expressed in Resolution XXXII of the Ninth International Conference of American States, held in Bogotá, in 1948, and that for such purpose they can and should assist each other, mainly through the use of the institutional resources of the Organization of American States; and

It is advisable, therefore, to make available to the Council of the Organization of American States a body of an advisory nature, made up of experts, the main purpose of which would be to advise the member governments which, as the case may be, require and request such assistance.

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance,

### *Resolves:*

1. To request the Council of the Organization of American States to maintain all necessary vigilance, for the purpose of warning against any acts of aggression, subversion, or other dangers to peace and security, or the preparation of such acts, resulting from the continued intervention of Sino-Soviet powers in this hemisphere, and to make recommendations to the governments of the member states with regard thereto.

2. To direct the Council of the Organization to establish a Special Consultative Committee of experts on security matters, for the purpose of advising the member states that may desire and request such assistance, the following procedures being observed:

*a.* The Council of the Organization shall select the membership of the Special Consultative Committee on Security from a list of candidates presented by the governments, and shall define immediately terms of reference for the Committee with a view to achieving the full purposes of this resolution.

*b.* The Committee shall submit reports to such member states as may request its assistance; however, it shall not publish these reports without obtaining express authorization from the state dealt with in the report.

*c.* The Special Consultative Committee on Security shall submit to the Council of the Organization, no later than May 1, 1962, an initial general report, with pertinent recommendations regarding measures which should be taken.

*d.* The Committee shall function at the Pan American Union, which shall extend to it the technical, administrative, and financial facilities required for the work of the Committee.

*e.* The Committee shall function for the period deemed advisable by the Council of the Organization.

3. To urge the member states to take those steps that they may consider appropriate for their individual or collective self-defense, and to cooperate, as may be necessary or desirable, to strengthen their capacity to counteract threats or acts of aggression, subversion, or other dangers to peace and security resulting from the continued intervention in this hemisphere of Sino-Soviet powers, in accordance with the obligations established in treaties and agreements such as the Charter of the Organization of American States and the Inter-American Treaty of Reciprocal Assistance.

### III. REITERATION OF THE PRINCIPLES OF NONINTERVENTION AND SELF-DETERMINATION

#### *Whereas:*

This meeting has been convoked by a resolution of the Council of the Organization of American States that invoked Article 6 of the Inter-American Treaty of Reciprocal Assistance:

It is necessary to maintain the principles of nonintervention and self-determination set forth in the Charter of the Organization of American States, because these principles are a basic part of the juridical system that governs relations among the republics of the hemisphere and makes friendly relations among them possible;

In the Charter of the Organization of American States and in the Declaration of Santiago, signed in August 1959, all the governments of the American States agreed voluntarily that they should result from free elections;

The will of the people, expressed through unrestricted suffrage, assures the formation of governments that represent more faithfully and without yielding to the interests of a privileged few the basic aspirations to freedom and social justice, the constant need for economic progress, and the call of brotherhood that all our peoples feel throughout the hemisphere;

Formation by free elections of the governments that comprise the Organization of American States is therefore the surest guarantee for the peace of the hemisphere and the security and political independence of each and every one of the nations that comprise it; and

Freedom to contract obligations is an inseparable part of the principle of the self-determination of nations, and consequently a request by one or more countries that such obligations be complied with does not signify intervention,

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance

#### *Resolves:*

1. To reiterate its adherence to the principles of self-determination and non-intervention as guiding standards of coexistence among the American nations.

2. To urge that the governments of the member countries of the Organization of American States, bearing in mind the present situation, and complying with the principles and aims set forth in the Charter of the Organization and the Declaration of Santiago, organize themselves on the basis of free elections that express, without restriction, the will of the people.

### IV. HOLDING OF FREE ELECTIONS

#### *Whereas:*

The preamble to the Charter of the Organization of American States proclaims that the true significance of American solidarity and good neighborliness can only mean the consolidation on this hemisphere, within the framework of democratic institutions, of a system of individual liberty and social justice based on respect for the essential rights of man;

The same charter reaffirms, among its principles, the requirement that the political organization of the American states be based on the effective exercise of representative democracy, even as it reasserts the fundamental rights of the individual;

The Charter confirms the right of each state to develop, freely and naturally, its cultural, political, and economic life, while respecting in this free development the rights of the individual and the principles of universal morality;

The Inter-American Treaty of Reciprocal Assistance affirms as a manifest truth, that juridical organization is a necessary prerequisite of security and peace, and that peace is founded on justice and moral order and, consequently, on the international recognition and protection of human rights and freedoms, on the

indispensable well-being of the people, and on the effectiveness of democracy for the international realization of justice and security; and

According to the principles and attributes of the democratic system in this hemisphere, as stated in the Declaration of Santiago, Chile, the governments of the American republics should be the result of free elections, and perpetuation in power, or the exercise of power without a fixed term and with the manifest intent of perpetuation, is incompatible with the effective exercise of democracy,

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance

*Resolves*

To recommend that the governments of the American states, whose structure or acts are incompatible with the effective exercise of representative democracy, hold free elections in their respective countries, as the most effective means of consulting the sovereign will of their peoples, to guarantee the restoration of a legal order based on the authority of the law and respect for the rights of the individual.

V. ALLIANCE FOR PROGRESS

*Whereas:*

The American states have the capacity to eradicate the profound evils of economic and social underdevelopment;

Resolution XI of the Fifth Meeting of the Consultation of Ministers of Foreign Affairs and Resolution V of the Seventh Meeting of Consultation of Ministers of Foreign Affairs declare that economic cooperation among the American states is necessary for the stability of democracy and the safeguarding of human rights, and that such cooperation is essential to the strengthening of the solidarity of the hemisphere and the reinforcement of the inter-American system in the face of threats that might affect it; and

In view of the fact that all the nations of the Americas have recognized their urgent need for economic and social development, it is necessary that they intensify immediately their self-help and cooperative efforts under the Alliance for Progress and the Charter of Punta del Este, on the basis of the adoption of vigorous reforms and large-scale internal efforts by the developing countries concerned and a mobilization of all the necessary financial and technical resources by the highly developed nations.

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance

*Declares:*

1. That the preservation and strengthening of free and democratic institutions in the American republics require, as an essential condition, the prompt, accelerated execution of an unprecedented effort to promote their economic and social development for which effort the public and private, domestic and foreign financial resources necessary to those objectives are to be made available, economic and social reforms are to be established, and every necessary internal effort is to be made in accordance with the provisions of the Charter of Punta del Este.

2. That it is essential to promote energetically and vigorously the basic industries of the Latin American countries, to liberalize trade in raw materials by the elimination of undue restrictions, to seek to avoid violent fluctuations in their prices, to encourage the modernization and expansion of services in order that industrialization may rest on its own appropriate bases, to mobilize unexploited natural resources in order to increase national wealth and to make such increased wealth available to persons of all economic and social groups, and to satisfy quickly, among other aspirations, the needs for work, housing, land, health, and education.

VI. EXCLUSION OF THE PRESENT GOVERNMENT OF CUBA FROM PARTICIPATION IN THE INTER-AMERICAN SYSTEM

*Whereas:*

The inter-American system is based on consistent adherence by its constituent states to certain objectives and principles of solidarity, set forth in the instruments that govern it;

Among these objectives and principles are those of respect for the freedom of man and preservation of his rights, the full exercise of representative democ-

racy, nonintervention of one state in the internal or external affairs of another, and rejection of alliances and agreement that may lead to intervention in America by extracontinental powers.

The Seventh Meeting of Consultation of Ministers of Foreign Affairs, held in San Jose, Costa Rica, condemned the intervention or the threat of intervention of extracontinental communist powers in the hemisphere and reiterated the obligation of the American states to observe faithfully the principles of the regional organization ;

The present Government of Cuba has identified itself with the principles of Marxist-Leninist ideology, has established a political, economic, and social system based on the doctrine, and accepts military assistance from extracontinental communist powers, including even the threat of military intervention in America on the part of the Soviet Union.

The Report of the Inter-America Peace Committee to the Eighth Meeting of Consultation of Ministers of Foreign Affairs establishes that:

The present connections of the Government of Cuba with the Sino-Soviet bloc of countries are evidently incompatible with the principles and standards that govern the regional system, and particularly with the collective security established by the Charter of the OAS and the Inter-American Treaty of Reciprocal Assistance [page 39] ;

The abovementioned Report of the Inter-American Peace Committee also states that :

It is evident that the ties of the Cuban Government with the Sino-Soviet bloc will prevent the said government from fulfilling the obligations stipulated in the Charter of the Organization and the Treaty of Reciprocal Assistance [page 40] ;

Such a situation in an American state violates the obligations inherent in membership in the regional system and is incompatible with that system ;

The attitude adopted by the present Government of Cuba and its acceptance of military assistance offered by extracontinental communist powers breaks down the effective defense of the inter-American system ; and

No member state of the inter-American system can claim the rights and privileges pertaining thereto if it denies or fails to recognize the corresponding obligations.

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance

*Declares:*

1. That, as a consequence of repeated acts, the present government of Cuba has voluntarily placed itself outside the inter-American system.

2. That this situation demands unceasing vigilance on the part of the member states of the Organization of American States, which shall report to the Council any fact or situation that could endanger the peace and security of the hemisphere.

3. That the American states have a collective interest in strengthening the inter-American system and reuniting it on the basis of respect for human rights and the principles and objectives relative to the exercise of democracy set forth in the Charter of the Organization ; and, therefore,

*Resolves:*

1. That adherence by any member of the Organization of American States to Marxism-Leninism is incompatible with the inter-American system and the alignment of such a government with the communist bloc breaks the unity and solidarity of the hemisphere.

2. That the present Government of Cuba, which has officially identified itself as a Marxist-Leninist government, is incompatible with the principles and objectives of the inter-American system.

3. That this incompatibility excludes the present Government of Cuba from participation in the inter-American system.

4. That the Council of the Organization of American States and the other organs and organizations of the inter-American system adopt without delay the measures necessary to carry out this resolution.

VII. INTER-AMERICAN DEFENSE BOARD

*Whereas:*

The Inter-American Defense Board was established pursuant to Resolution 39 of the Third Meeting of Consultation of Foreign Ministers, held in Rio de

Janeiro in 1942, recommending the immediate meeting of a commission composed of military and naval technicians appointed by each of the governments to study and to suggest to them measures necessary for the defense of the hemisphere;

The Inter-American Defense Board, on April 26, 1961, resolved that the participation of the Cuban regime in defense planning is highly prejudicial to the work of the Board and to the security of the hemisphere; and

The present Government of Cuba is identified with the aims and policies of the Sino-Soviet bloc,

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance.

*Resolves:*

To exclude immediately the present Government of Cuba from the Inter-American Defense Board until the Council of the Organization of American States shall determine by a vote of two thirds of its members that membership of the Government of Cuba is not prejudicial to the work of the Board or to the security of the hemisphere.

VIII. ECONOMIC RELATIONS

*Whereas:*

The Report of the Inter-American Peace Committee to the Eighth Meeting of Consultation of Ministers of Foreign Affairs states, with regard to the intense subversive activity in which the countries of the Sino-Soviet bloc and the Cuban Government are engaged in America, that such activity constitutes "a serious violation of fundamental principles of the inter-American system"; and,

During the past three years 13 American states have found it necessary to break diplomatic relations with the present Government of Cuba.

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance.

*Resolves:*

1. To suspend immediately trade with Cuba in arms and implements of war of every kind.

2. To charge the Council of the Organization of American States, in accordance with the circumstances and with due consideration for the constitutional or legal limitations of each and every one of the member states, with studying the feasibility and desirability of extending the suspension of trade to other items, with special attention to items of strategic importance.

3. To authorize the Council of the Organization of American States to discontinue, by an affirmative vote of two-thirds of its members, the measure or measures adopted pursuant to the preceding paragraphs, at such time as the Government of Cuba demonstrates its compatibility with the purposes and principles of the system.

IX. REVISIONS OF THE STATUTE OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

*Whereas:*

The Fifth Meeting of Consultation of Ministers of Foreign Affairs, by Resolution VIII, created the Inter-American Commission on Human Rights, and charged it with furthering respect for human rights in the American states;

Notwithstanding the noble and persevering effort carried on by that Commission in the exercise of its mandate, the inadequacy of the faculties and attributions conferred upon it by its statute have made it difficult for the Commission to fulfill its assigned mission;

There is a pressing need for accelerating development in the hemisphere of the collective defense of human rights, so that this development may result in international legal protection of these rights; and

There is an obvious relation between violations of human rights and the international tensions that work against the harmony, peace, and unity of the hemisphere,

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance

*Resolves:*

To recommend to the Council of the Organization of American States that it revise the Statute of the Inter-American Commission on Human Rights, broadening and strengthening the Commission's attributes and faculties to such an extent as to permit it effectively to further respect for these rights in the countries of the hemisphere.

## STATEMENTS

## STATEMENT OF HONDURAS

Honduras wishes to have the explanation of the position it adopted in voting for Resolution VI, Exclusion of the Present Government of Cuba from Participation in the Inter-American System, recorded in the Final Act.

With regard to the observations of a juridical nature made by distinguished foreign ministers, Honduras maintains the existence of sufficient bases in the letter and in the spirit of the treaties and conventions of the regional system.

In the last analysis, however, in view of the threat to the peace and security of the hemisphere, in view of the threat to the dignity and freedom of the inhabitants of the Americas, and in view of the political presence of the Soviet Union in America, the Delegation of Honduras, aware of the juridical doubt that might arise, has not hesitated to give the benefit of the doubt to the defense of democracy in America.

## STATEMENT OF ARGENTINA

In view of the statement made by the Representative of Uruguay at the second plenary session, held on January 31, 1962, the Delegation of Argentina wishes to record that it reiterates the juridical views expressed by Dr. Miguel Angel Cárcano, Minister of Foreign Affairs and Worship, at the ninth session of the General Committee, in explanation of his vote on Resolution VI of this Final Act.

## STATEMENT OF COLOMBIA

The position of Colombia has been defined in the two statements that will be shown in the minutes of the second plenary session of this Eighth Meeting of Consultation, and that refer to general policy and to Resolution VI.

## STATEMENT OF MEXICO

The Delegation of Mexico wishes to make it a matter of record in the Final Act of the Eighth Meeting of Consultation of Ministers of Foreign Affairs, that, in its opinion, the exclusion of a member state is not juridically possible unless the Charter of the Organization of American States is first amended pursuant to the procedure established in Article 111.

## STATEMENT OF HAITI

My country is proud to have participated in these discussions, which have taken place in an atmosphere of calm, of courtesy, and of mutual respect.

Haiti came to Punta del Este with the firm intention of defending the principles of nonintervention and self-determination of peoples, with all that they imply. Haiti remains firmly attached to these intangible principles, which guarantee an order of mutual respect in relations among peoples of different languages and cultures.

Here Haiti has become persuaded that "the fallacies of communist propaganda cannot and should not obscure or hide the difference in philosophy which these principles represent when they are expressed by a democratic American country, and when communist governments and their agents attempt to utilize them for their own benefit."

This is the sole reason for the change in the position and attitude of my country, which is honored to have had a modest part in resolving a problem which jeopardized the peace, the solidarity, and the unity of the hemisphere.

## STATEMENT OF ECUADOR

The Delegation of Ecuador wishes to state in the record that the exclusion of a member state from the inter-American system could only be accomplished through the prior amendment of the Charter of the Organization of American States to grant the power to exclude a state.

The Charter is the constitutional juridical statute that prevails over any other inter-American instrument.

## STATEMENT OF ECUADOR ON RESOLUTION VIII

Ecuador abstained from voting, inasmuch as sanctions are being applied, by invoking the Treaty of Reciprocal Assistance, sanctions that begin with the suspension of traffic in arms with the possibility of being extended to other items, with special attention to items of strategic importance, a concept that might include basic necessities of which the Cuban people should not be deprived and thus make the present situation more critical.

Of course, Ecuador, as a peace-loving country, reaffirms its faith in peaceful methods to settle controversies between states and condemns illegal traffic in arms.

## STATEMENT OF BRAZIL

In view of the statement made by the Representative of Uruguay at the plenary session held on January 31, 1962, the Delegation of Brazil reaffirms the validity of the juridical bases of the position taken by its country with respect to Resolution VI of the Eighth Meeting of Consultation, which position was explained at length by the Minister of Foreign Affairs of Brazil in statements made at the sessions of the General Committee held on January 24 and 30, 1962.

## STATEMENT OF URUGUAY

The Delegation of Uruguay wishes to state in the record that, in adopting its position in the Eighth Meeting of Consultation, far from violating or forgetting the juridical standards applicable to the Cuban case, it adhered strictly to them, as befits its old and honorable tradition of being a defender of legality. The bases for this position were explained at the plenary session held on January 31, as will be shown in the minutes of that session.

IN WITNESS WHEREOF, the Ministers of Foreign Affairs sign the present Final Act.

DONE in the city of Punta del Este, Uruguay, on January thirty one, nineteen hundred sixty two. The Secretary General shall deposit the original of the Final Act in the Archives of the Pan American Union, which will transmit the authenticated copies thereof to the governments of the American republics.

## APPENDIX D

TENTH INTER-AMERICAN CONFERENCE, CARACAS, VENEZUELA, MARCH 1-28, 1954

## RESOLUTION 93

Declaration of Solidarity for the Preservation of the Political Integrity of the American States Against the Intervention of International Communism

## WHEREAS:

The American republics at the Ninth International Conference of American States declared that international communism, by its anti-democratic nature and its interventionist tendency, is incompatible with the concept of American freedom, and resolved to adopt within their respective territories the measures necessary to eradicate and prevent subversive activities;

The Fourth Meeting of Consultation of Ministers of Foreign Affairs recognized that, in addition to adequate internal measures in each state, a high degree of international cooperation is required to eradicate the danger which the subversive activities of international communism pose for the American States; and

The aggressive character of the international communist movement continues to constitute, in the context of world affairs, a special and immediate threat to the national institutions and the peace and security of the American States, and to the right of each state to develop its cultural, political, and economic life freely and naturally without intervention in its internal or external affairs by other states,

The Tenth Inter-American Conference

## I

## Condemns:

The activities of the international communist movement as constituting intervention in American affairs;



**Expresses :**

The determination of the American States to take the necessary measures to protect their political independence against the intervention of international communism, acting in the interests of an alien depotism ;

**Reiterates :**

The faith of the peoples of America in the effective exercise of representative democracy as the best means to promote their social and political progress ; and

**Declares :**

That the domination or control of the political institutions of any American State by the international Communist movement, extending to this Hemisphere the political system of an extracontinental power, would constitute a threat to the sovereignty and political independence of the American States, endangering the peace of America, and would call for a Meeting of Consultation to consider the adoption of appropriate action in accordance with existing treaties.

**II****Recommends :**

That, without prejudice to such other measures as they may consider desirable, special attention be given by each of the American governments to the following steps for the purpose of counteracting the subversive activities of the international communist movement within their respective jurisdictions :

1. Measures to require disclosure of the identity, activities, and sources of funds of those who are spreading propaganda of the international communist movement or who travel in the interests of that movement, and of those who act as its agents or in its behalf ; and
2. The exchange of information among governments to assist in fulfilling the purpose of the resolutions adopted by the Inter-American Conferences and Meetings of Ministers of Foreign Affairs regarding international communism.

**III**

This declaration of foreign policy made by the American republics in relation to dangers originating outside this Hemisphere is designed to protect and not to impair the inalienable right of each American State freely to choose its own form of government and economic system and to live its own social and cultural life.

**APPENDIX E****CHARTER OF THE ORGANIZATION OF AMERICAN STATES****PART ONE****CHAPTER I****NATURE AND PURPOSES****ARTICLE 1**

The American States establish by this Charter the international organization that they have developed to achieve an order of peace and justice, to promote their solidarity, to strengthen their collaboration, and to defend their sovereignty, their territorial integrity and their independence. Within the United Nations, the Organization of American States is a regional agency.

**ARTICLE 2**

All American States that ratify the present Charter are Members of the Organization.

**ARTICLE 3**

Any new political entity that arises from the union of several Member States and that, as such, ratifies the present Charter, shall become a Member of the Organization. The entry of the new political entity into the Organization shall result in the loss of membership of each one of the States which constitute it.

## ARTICLE 4

The Organization of American States, in order to put into practice the principles on which it is founded and to fulfill its regional obligations under the Charter of the United Nations, proclaims the following essential purposes:

- a) To strengthen the peace and security of the continent;
- b) To prevent possible causes of difficulties and to ensure the pacific settlement of disputes that may arise among the Member States;
- c) To provide for common action on the part of those States in the event of aggression;
- d) To seek the solution of political, juridical and economic problems that may arise among them; and
- e) To promote, by cooperative action, their economic, social and cultural development.

## CHAPTER II

## PRINCIPLES

## ARTICLE 5

The American States reaffirm the following principles:

- a) International law is the standard of conduct of States in their reciprocal relations;
- b) International order consists essentially of respect for the personality, sovereignty and independence of States, and the faithful fulfillment of obligations derived from treaties and other sources of international law;
- c) Good faith shall govern the relations between States;
- d) The solidarity of the American States and the high aims which are sought through it require the political organization of those States on the basis of the effective exercise of representative democracy;
- e) The American States condemn war of aggression: victory does not give rights;
- f) An act of aggression against one American State is an act of aggression against all the other American States;
- g) Controversies of an international character arising between two or more American States shall be settled by peaceful procedures;
- h) Social justice and social security are bases of lasting peace;
- i) Economic cooperation is essential to the common welfare and prosperity of the peoples of the continent;
- j) The American States proclaim the fundamental rights of the individual without distinction as to race, nationality, creed or sex;
- k) The spiritual unity of the continent is based on respect for the cultural values of the American countries and requires their close cooperation for the high purposes of civilization;
- l) The education of peoples should be directed toward justice, freedom and peace.

## CHAPTER III

## FUNDAMENTAL RIGHTS AND DUTIES OF STATES

## ARTICLE 6

States are juridically equal, enjoy equal rights and equal capacity to exercise these rights, and have equal duties. The rights of each State depend not upon its power to ensure the exercise thereof, but upon the mere fact of its existence as a person under international law.

## ARTICLE 7

Every American State has the duty to respect the rights enjoyed by every other State in accordance with international law.

## ARTICLE 8

The fundamental rights of States may not be impaired in any manner whatsoever.

## ARTICLE 9

The political existence of the State is independent of recognition by other States. Even before being recognized, the State has the right to defend its integrity and independence, to provide for its preservation and prosperity, and consequently to organize itself as it sees fit, to legislate concerning its interests, to administer its services, and to determine the jurisdiction and competence of its courts. The exercise of these rights is limited only by the exercise of the rights of other States in accordance with international law.

## ARTICLE 10

Recognition implies that the State granting it accepts the personality of the new State, with all the rights and duties that international law prescribes for the two States.

## ARTICLE 11

The right of each State to protect itself and to live its own life does not authorize it to commit unjust acts against another State.

## ARTICLE 12

The jurisdiction of States within the limits of their national territory is exercised equally over all the inhabitants, whether nationals or aliens.

## ARTICLE 13

Each State has the right to develop its cultural, political, and economic life freely and naturally. In this free development, the State shall respect the rights of the individual and the principles of universal morality.

## ARTICLE 14

Respect for and the faithful observance of treaties constitute standards for the development of peaceful relations among States. International treaties and agreements should be public.

## ARTICLE 15

No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. The foregoing principle prohibits not only armed force but also any other form of interference or attempted threat against the personality of the State or against its political, economic and cultural elements.

## ARTICLE 16

No State may use or encourage the use of coercive measures of an economic or political character in order to force the sovereign will of another State and obtain from it advantages of any kind.

## ARTICLE 17

The territory of a State is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another State, directly or indirectly, on any grounds whatever. No territorial acquisitions or special advantages obtained either by force or by other means of coercion shall be recognized.

## ARTICLE 18

The American States bind themselves in their international relations not to have recourse to the use of force, except in the case of self-defense in accordance with existing treaties or in fulfillment thereof.

## ARTICLE 19

Measures adopted for the maintenance of peace and security in accordance with existing treaties do not constitute a violation of the principles set forth in Articles 15 and 17.

## CHAPTER IV

## PACIFIC SETTLEMENT OF DISPUTES

## ARTICLE 20

All international disputes that may arise between American States shall be submitted to the peaceful procedures set forth in this Charter, before being referred to the Security Council of the United Nations.

## ARTICLE 21

The following are peaceful procedures: direct negotiation, good offices, mediation, investigation and conciliation, judicial settlement, arbitration, and those which the parties to the dispute may especially agree upon at any time.

## ARTICLE 22

In the event that a dispute arises between two or more American States which, in the opinion of one of them, cannot be settled through the usual diplomatic channels, the Parties shall agree on some other peaceful procedure that will enable them to reach a solution.

## ARTICLE 23

A special treaty will establish adequate procedures for the pacific settlement of disputes and will determine the appropriate means for their application, so that no dispute between American States shall fail of definitive settlement within a reasonable period.

## CHAPTER V

## COLLECTIVE SECURITY

## ARTICLE 24

Every act of aggression by a State against the territorial integrity or the inviolability of the territory or against the sovereignty or political independence of an American State shall be considered an act of aggression against the other American States.

## ARTICLE 25

If the inviolability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an armed attack or by an act of aggression that is not an armed attack, or by an extra-continental conflict, or by a conflict between two or more American States, or by any other fact or situation that might endanger the peace of America, the American States, in furtherance of the principles of continental solidarity or collective self-defense, shall apply the measures and procedures established in the special treaties on the subject.

## CHAPTER VI

## ECONOMIC STANDARDS

## ARTICLE 26

The Member States agree to cooperate with one another, as far as their resources may permit and their laws may provide, in the broadest spirit of good neighborliness, in order to strengthen their economic structure, develop their agriculture and mining, promote their industry and increase their trade.

## ARTICLE 27

If the economy of an American State is affected by serious conditions that cannot be satisfactorily remedied by its own unaided effort, such State may place its economic problems before the Inter-American Economic and Social Council to seek through consultation the most appropriate solution for such problems.

## CHAPTER VII

## SOCIAL STANDARDS

## ARTICLE 28

The Member States agree to cooperate with one another to achieve just and decent living conditions for their entire populations.

## ARTICLE 29

The Member States agree upon the desirability of developing their social legislation on the following bases:

a) All human beings, without distinction as to race, nationality, sex, creed or social condition, have the right to attain material well-being and spiritual growth under circumstances of liberty, dignity, equality of opportunity, and economic security;

b) Work is a right and a social duty; it shall not be considered as an article of commerce; it demands respect for freedom of association and for the dignity of the worker; and it is to be performed under conditions that ensure life, health and a decent standard of living, both during the working years and during old age, or when any circumstance deprives the individual of the possibility of working.

## CHAPTER VIII

## CULTURAL STANDARDS

## ARTICLE 30

The Member States agree to promote, in accordance with their constitutional provisions and their material resources, the exercise of the right to education, on the following bases:

a) Elementary education shall be compulsory and, when provided by the State, shall be without cost;

b) Higher education shall be available to all, without distinction as to race, nationality, sex, language, creed or social condition.

## ARTICLE 31

With due consideration for the national character of each State, the Member States undertake to facilitate free cultural interchange by every medium of expression.

## PART TWO

## CHAPTER IX

## THE ORGANS

## ARTICLE 32

The Organization of American States accomplishes its purposes by means of:

- a) The Inter-American Conference;
- b) The Meeting of Consultation of Ministers of Foreign Affairs;
- c) The Council;
- d) The Pan American Union;
- e) The Specialized Conferences; and
- f) The Specialized Organizations.

## CHAPTER X

## THE INTER-AMERICAN CONFERENCE

## ARTICLE 33

The Inter-American Conference is the supreme organ of the Organization of American States. It decides the general action and policy of the Organization and determines the structure and functions of its Organs, and has the authority

to consider any matter relating to friendly relations among the American States. These functions shall be carried out in accordance with the provisions of this Charter and of other inter-American treaties.

## ARTICLE 34

All Member States have the right to be represented at the Inter-American Conference. Each State has the right to one vote.

## ARTICLE 35

The Conference shall convene every five years at the time fixed by the Council of the Organization, after consultation with the government of the country where the Conference is to be held.

## ARTICLE 36

In special circumstances and with the approval of two-thirds of the American Governments, a special Inter-American Conference may be held, or the date of the next regular Conference may be changed.

## ARTICLE 37

Each Inter-American Conference shall designate the place of meeting of the next Conference. If for any unforeseen reason the Conference cannot be held at the place designated, the Council of the Organization shall designate a new place.

## ARTICLE 38

The program and regulations of the Inter-American Conference shall be prepared by the Council of the Organization and submitted to the Member States for consideration.

## CHAPTER XI

## THE MEETING OF CONSULTATION OF MINISTERS OF FOREIGN AFFAIRS

## ARTICLE 39

The Meeting of Consultation of Ministers of Foreign Affairs shall be held in order to consider problems of an urgent nature and of common interest to the American States, and to serve as the Organ of Consultation.

## ARTICLE 40

Any Member State may request that a Meeting of Consultation be called. The request shall be addressed to the Council of the Organization, which shall decide by an absolute majority whether a meeting should be held.

## ARTICLE 41

The program and regulations of the Meeting of Consultation shall be prepared by the Council of the Organization and submitted to the Member States for consideration.

## ARTICLE 42

If, for exceptional reasons, a Minister of Foreign Affairs is unable to attend the meeting, he shall be represented by a special delegate.

## ARTICLE 43

In case of an armed attack within the territory of an American State or within the region of security delimited by treaties in force, a Meeting of Consultation shall be held without delay. Such Meeting shall be called immediately by the Chairman of the Council of the Organization, who shall at the same time call a meeting of the Council itself.

## ARTICLE 44

An Advisory Defense Committee shall be established to advise the Organ of Consultation on problems of military cooperation that may arise in connection with the application of existing special treaties on collective security.

## ARTICLE 45

The Advisory Defense Committee shall be composed of the highest military authorities of the American States participating in the Meeting of Consultation. Under exceptional circumstances the Governments may appoint substitutes. Each State shall be entitled to one vote.

## ARTICLE 46

The Advisory Defense Committee shall be convoked under the same conditions as the Organ of Consultation, when the latter deals with matters relating to defense against aggression.

## ARTICLE 47

The Committee shall also meet when the Conference or the Meeting of Consultation or the Governments, by a two-thirds majority of the Member States, assign to it technical studies or reports on specific subjects.

## CHAPTER XII

## THE COUNCIL

## ARTICLE 48

The Council of the Organization of American States is composed of one Representative of each Member State of the Organization, especially appointed by the respective Government, with the rank of Ambassador. The appointment may be given to the diplomatic representative accredited to the Government of the country in which the Council has its seat. During the absence of the titular Representative, the Government may appoint an interim Representative.

## ARTICLE 49

The Council shall elect a Chairman and a Vice Chairman, who shall serve for one year and shall not be eligible for election to either of those positions for the term immediately following.

## ARTICLE 50

The Council takes cognizance, within the limits of the present Charter and of inter-American treaties and agreements, of any matter referred to it by the Inter-American Conference or the Meeting of Consultation of Ministers of Foreign Affairs.

## ARTICLE 51

The Council shall be responsible for the proper discharge by the Pan American Union of the duties assigned to it.

## ARTICLE 52

The Council shall serve provisionally as the Organ of Consultation when the circumstances contemplated in Article 43 of this Charter arise.

## ARTICLE 53

It is also the duty of the Council :

- a) To draft and submit to the Governments and to the Inter-American Conference proposals for the creation of new Specialized Organizations or for the combination, adaptation or elimination of existing ones, including matters relating to the financing and support thereof ;
- b) To draft recommendations to the Governments, the Inter-American Conference, the Specialized Conferences or the Specialized Organizations, for the coordination of the activities and programs of such organizations, after consultation with them ;
- c) To conclude agreements with the Inter-American Specialized Organizations to determine the relations that shall exist between the respective agency and the Organization ;
- d) To conclude agreements or special arrangements for cooperation with other American organizations of recognized international standing ;

- e) To promote and facilitate collaboration between the Organization of American States and the United Nations, as well as between Inter-American Specialized Organizations and similar international agencies;
- f) To adopt resolutions that will enable the Secretary General to perform the duties envisaged in Article 84;
- g) To perform the other duties assigned to it by the present Charter.

## ARTICLE 54

The Council shall establish the bases for fixing the quota that each Government is to contribute to the maintenance of the Pan American Union, taking into account the ability to pay of the respective countries and their determination to contribute in an equitable manner. The budget, after approval by the Council, shall be transmitted to the Governments at least six months before the first day of the fiscal year, with a statement of the annual quota of each country. Decisions on budgetary matters require the approval of two-third of the members of the Council.

## ARTICLE 55

The Council shall formulate its own regulations.

## ARTICLE 56

The Council shall function at the seat of the Pan American Union.

## ARTICLE 57

The following are organs of the Council of the Organization of American States:

- a) The Inter-American Economic and Social Council;
- b) The Inter-American Council of Jurists; and
- c) The Later-American Cultural Council.

## ARTICLE 58

The organs referred to in the preceding article shall have technical autonomy within the limits of this Charter; but their decisions shall not encroach upon the sphere of action of the Council of the Organization.

## ARTICLE 59

The organs of the Council of the Organization are composed of representatives of all the Member States of the Organization.

## ARTICLE 60

The organs of the Council of the Organization shall, as far as possible, render to the Governments such technical services as the latter may request; and they shall advise the Council of the Organization on matters within their jurisdiction.

## ARTICLE 61

The organs of the Council of the Organization shall, in agreement with the Council, establish cooperative relations with the corresponding organs of the United Nations and with the national or international agencies that function within their respective spheres of action.

## ARTICLE 62

The Council of the Organization, with the advice of the appropriate bodies and after consultation with the Governments, shall formulate the statutes of its organs in accordance with and in the execution of the provisions of this Charter. The organs shall formulate their own regulations.

A) *The Inter-American Economic and Social Council*

## ARTICLE 63

The Inter-American Economic and Social Council has for its principal purpose the promotion of the economic and social welfare of the American nations



through effective cooperation for the better utilization of their natural resources, the development of their agriculture and industry and the raising of the standards of living of their peoples.

## ARTICLE 64

To accomplish this purpose the Council shall :

- a) Propose the means by which the American nations may give each other technical assistance in making studies and formulating and executing plans to carry out the purposes referred to in Article 26 and to develop and improve their social services;
- b) Act as coordinating agency for all official inter-American activities of an economic and social nature;
- c) Undertake studies on its own initiative or at the request of any Member State;
- d) Assemble and prepare reports on economic and social matters for the use of the Member States;
- e) Suggest to the Council of the Organization the advisability of holding specialized conferences on economic and social matters;
- f) Carry on such other activities as may be assigned to it by the Inter-American Conference, the Meeting of Consultation of Ministers of Foreign Affairs, or the Council of the Organization.

## ARTICLE 65

The Inter-American Economic and Social Council, composed of technical delegates appointed by each Member State, shall meet on its own initiative or on that of the Council of the Organization.

## ARTICLE 66

The Inter-American Economic and Social Council shall function at the seat of the Pan American Union, but it may hold meetings in any American city by a majority decision of the Member States.

B) *The Inter-American Council of Jurists*

## ARTICLE 67

The purpose of the Inter-American Council of Jurists is to serve as an advisory body on juridical matters; to promote the development and codification of public and private international law; and to study the possibility of attaining uniformity in the legislation of the various American countries, insofar as it may appear desirable.

## ARTICLE 68

The Inter-American Juridical Committee of Rio de Janeiro shall be the permanent committee of the Inter-American Council of Jurists.

## ARTICLE 69

The Juridical Committee shall be composed of jurists of the nine countries selected by the Inter-American Conference. The selection of the jurists shall be made by the Inter-American Council of Jurists from a panel submitted by each country chosen by the Conference. The Members of the Juridical Committee represent all Member States of the Organization. The Council of the Organization is empowered to fill any vacancies that occur during the intervals between Inter-American Conferences and between meetings of the Inter-American Council of Jurists.

## ARTICLE 70

The Juridical Committee shall undertake such studies and preparatory work as are assigned to it by the Inter-American Council of Jurists, the Inter-American Conference, the Meeting of Consultation of Ministers of Foreign Affairs, or the Council of the Organization. It may also undertake those studies and projects which, on its own initiative, it considers advisable.

## ARTICLE 71

The Inter-American Council of Jurists and the Juridical Committee should seek the cooperation of national committees for the codification of international law, of institutes of international and comparative law, and of other specialized agencies.

## ARTICLE 72

The Inter-American Council of Jurists shall meet when convened by the Council of the Organization, at the place determined by the Council of Jurists at its previous meeting.

C) *The Inter-American Cultural Council*

## ARTICLE 73

The purpose of the Inter-American Cultural Council is to promote friendly relations and mutual understanding among the American peoples, in order to strengthen the peaceful sentiments that have characterized the evolution of America, through the promotion of educational, scientific and cultural exchange.

## ARTICLE 74

To this end the principal functions of the Council shall be:

- a) To sponsor inter-American cultural activities;
- b) To collect and supply information on cultural activities carried on in and among the American States by private and official agencies both national and international in character;
- c) To promote the adoption of basic educational programs adapted to the needs of all population groups in the American countries;
- d) To promote, in addition, the adoption of special programs of training, education and culture for the indigenous groups of the American countries;
- e) To cooperate in the protection, preservation and increase of the cultural heritage of the continent;
- f) To promote cooperation among the American nations in the fields of education, science and culture, by means of the exchange of materials for research and study, as well as the exchange of teachers, students, specialists and, in general, such other persons and materials as are useful for the realization of these ends;
- g) To encourage the education of the peoples for harmonious international relations;
- h) To carry on such other activities as may be assigned to it by the Inter-American Conference, the Meeting of Consultation of Ministers of Foreign Affairs, or the Council of the Organization.

## ARTICLE 75

The Inter-American Cultural Council shall determine the place of its next meeting and shall be convened by the Council of the Organization on the date chosen by the latter in agreement with the Government of the country selected as the seat of the meeting.

## ARTICLE 76

There shall be a Committee for Cultural Action of which five States, chosen at each Inter-American Conference, shall be members. The individuals composing the Committee for Cultural Action shall be selected by the Inter-American Cultural Council from a panel submitted by each country chosen by the Conference, and they shall be specialists in education or cultural matters. When the Inter-American Cultural Council and the Inter-American Conference are not in session, the Council of the Organization may fill vacancies that arise and replace those countries that find it necessary to discontinue their cooperation.

## ARTICLE 77

The Committee for Cultural Action shall function as the permanent committee of the Inter-American Cultural Council, for the purpose of preparing any studies that the latter may assign to it. With respect to these studies the Council shall have the final decision.

## CHAPTER XIII

## THE PAN AMERICAN UNION

## ARTICLE 78

The Pan American Union is the central and permanent organ of the Organization of American States and the General Secretariat of the Organization. It shall perform the duties assigned to it in this Charter and such other duties as may be assigned to it in other inter-American treaties and agreements.

## ARTICLE 79

There shall be a Secretary General of the Organization, who shall be elected by the Council for a ten-year term and who may not be reelected or be succeeded by a person of the same nationality. In the event of a vacancy in the office of Secretary General, the Council shall, within the next ninety days, elect a successor to fill the office for the remainder of the term, who may be reelected if the vacancy occurs during the second half of the term.

## ARTICLE 80

The Secretary General shall direct the Pan American Union and be the legal representative thereof.

## ARTICLE 81

The Secretary General shall participate with voice, but without vote, in the deliberations of the Inter-American Conference, the Meeting of Consultation of Ministers of Foreign Affairs, the Specialized Conferences, and the Council and its organs.

## ARTICLE 82

The Pan American Union, through its technical and information offices shall, under the direction of the Council promote economic, social, juridical and cultural relations among all the Member States of the Organization.

## ARTICLE 83

The Pan American Union shall also perform the following functions:

- a) Transmit *ex officio* to Member States the convocation to the Inter-American Conference, the Meeting of Consultation of Ministers of Foreign Affairs, and the Specialized Conferences;
- b) Advise the Council and its organs in the preparation of programs and regulations of the Inter-American Conference, the Meeting of Consultation of Ministers of Foreign Affairs, and the Specialized Conferences;
- c) Place, to the extent of its ability, at the disposal of the Government of the country where a conference is to be held, the technical aid and personnel which such Government may request;
- d) Serve as custodian of the documents and archives of the Inter-American Conference, of the Meeting of Consultation of Ministers of Foreign Affairs, and, insofar as possible, of the Specialized Conferences;
- e) Serve as depository of the instruments of ratification of inter-American agreements;
- f) Perform the functions entrusted to it by the Inter-American Conference, and the Meeting of Consultation of Ministers of Foreign Affairs;
- g) Submit to the Council an annual report on the activities of the Organization;
- h) Submit to the Inter-American Conference a report on the work accomplished by the Organs of the Organization since the previous Conference.

## ARTICLE 84

It is the duty of the Secretary General:

- a) To establish, with the approval of the Council, such technical and administrative offices of the Pan American Union as are necessary to accomplish its purposes;
- b) To determine the number of department heads, officers and employees of the Pan American Union; to appoint them, regulate their powers and duties, and fix their compensation, in accordance with general standards established by the Council.

## ARTICLE 85

There shall be an Assistant Secretary General, elected by the Council for a term of ten years and eligible for reelection. In the event of a vacancy in the office of Assistant Secretary General, the Council shall, within the next ninety-days, elect a successor to fill such office for the remainder of the term.

## ARTICLE 86

The Assistant Secretary General shall be the Secretary of the Council. He shall perform the duties of the Secretary General during the temporary absence or disability of the latter, or during the ninety-day vacancy referred to in Article 79. He shall also serve as advisory officer to the Secretary General, with the power to act as his delegate in all matters that the Secretary General may entrust to him.

## ARTICLE 87

The Council, by a two-thirds vote of its members, may remove the Secretary General or the Assistant Secretary General whenever the proper functioning of the Organization so demands.

## ARTICLE 88

The heads of the respective departments of the Pan American Union, appointed by the Secretary General, shall be the Executive Secretaries of the Inter-American Economic and Social Council, the Council of Jurists and the Cultural Council.

## ARTICLE 89

In the performance of their duties the personnel shall not seek or receive instructions from any government or from any other authority outside the Pan American Union. They shall refrain from any action that might reflect upon their position as international officials responsible only to the Union.

## ARTICLE 90

Every Member of the Organization of American States pledges itself to respect the exclusively international character of the responsibilities of the Secretary General and the personnel, and not to seek to influence them in the discharge of their duties.

## ARTICLE 91

In selecting its personnel the Pan American Union shall give first consideration to efficiency, competence and integrity; but at the same time importance shall be given to the necessity of recruiting personnel on as broad a geographical basis as possible.

## ARTICLE 92

The seat of the Pan American Union is the city of Washington.

## CHAPTER XIV

## THE SPECIALIZED CONFERENCES

## ARTICLE 93

The Specialized Conferences shall meet to deal with special technical matters or to develop specific aspects of inter-American cooperation, when it is so decided by the Inter-American Conference or the Meeting of Consultation of Ministers of Foreign Affairs; when inter-American agreements so provide; or when the Council of the Organization considers it necessary, either on its own initiative or at the request of one of its organs or of one of the Specialized Organizations.

## ARTICLE 94

The program and regulations of the Specialized Conferences shall be prepared by the organs of the Council of the Organization or by the Specialized Organizations concerned; they shall be submitted to the Member Governments for consideration and transmitted to the Council for its information.

## CHAPTER XV

## THE SPECIALIZED ORGANIZATIONS

## ARTICLE 95

For the purposes of the present Charter, Inter-American Specialized Organizations are the intergovernmental organizations established by multilateral agreements and having specific functions with respect to technical matters of common interest to the American States.

## ARTICLE 96

The Council shall, for the purposes stated in Article 53, maintain a register of the Organizations that fulfill the conditions set forth in the foregoing Article.

## ARTICLE 97

The Specialized Organizations shall enjoy the fullest technical autonomy and shall take into account the recommendations of the Council, in conformity with the provisions of the present Charter.

## ARTICLE 98

The Specialized Organizations shall submit to the Council periodic reports on the progress of their work and on their annual budgets and expenses.

## ARTICLE 99

Agreements between the Council and the Specialized Organizations contemplated in paragraph c) or Article 53 may provide that such Organizations transmit their budgets to the Council for approval. Arrangements may also be made for the Pan American Union to receive the quotas of the contributing countries and distribute them in accordance with the said agreements.

## ARTICLE 100

The Specialized Organizations shall establish cooperative relations with world agencies of the same character in order to coordinate their activities. In concluding agreements with international agencies of a worldwide character, the Inter-American Specialized Organizations shall preserve their identity and their status as integral parts of the Organization of American States, even when they perform regional functions of international agencies.

## ARTICLE 101

In determining the geographic location of the Specialized Organizations the interests of all the American States shall be taken into account.

## PART THREE

## CHAPTER XVI

## THE UNITED NATIONS

## ARTICLE 102

None of the provisions of this Charter shall be construed as impairing the rights and obligations of the Member States under the Charter of the United Nations.

## CHAPTER XVII

## MISCELLANEOUS PROVISIONS

## ARTICLE 103

The Organization of American States shall enjoy in the territory of each Member such legal capacity, privileges and immunities as are necessary for the exercise of its functions and the accomplishment of its purposes.

## ARTICLE 104

The Representatives of the Governments on the Council of the Organization, the representatives on the organs of the Council, the personnel of their delegations, as well as the Secretary General and the Assistant Secretary General of the Organization, shall enjoy the privileges and immunities necessary for the independent performance of their duties.

## ARTICLE 105

The juridical status of the Inter-American Specialized Organizations and the privileges and immunities that should be granted to them and to their personnel, as well as to the officials of the Pan American Union, shall be determined in each case through agreements between the respective organizations and the Governments concerned.

## ARTICLE 106

Correspondence of the Organization of American States, including printed matter and parcels, bearing the frank thereof, shall be carried free of charge in the mails of the Member States.

## ARTICLE 107

The Organization of American States does not recognize any restriction on the eligibility of men and women to participate in the activities of the various Organs and to hold positions therein.

## CHAPTER XVIII

## RATIFICATION AND ENTRY INTO FORCE

## ARTICLE 108

The present Charter shall remain open for signature by the American States and shall be ratified in accordance with their respective constitutional procedures. The original instrument, the Spanish, English, Portuguese and French texts of which are equally authentic, shall be deposited with the Pan American Union, which shall transmit certified copies thereof to the Governments for purposes of ratification. The instruments of ratification shall be deposited with the Pan American Union, which shall notify the signatory States of such deposit.

## ARTICLE 109

The present Charter shall enter into force among the ratifying States when two-thirds of the signatory States have deposited their ratifications. It shall enter into force with respect to the remaining States in the order in which they deposit their ratifications.

## ARTICLE 110

The present Charter shall be registered with the Secretariat of the United Nations through the Pan American Union.

## ARTICLE 111

Amendments to the present Charter may be adopted only at an Inter-American Conference convened for that purpose. Amendments shall enter into force in accordance with the terms and the procedure set forth in Article 109.

## ARTICLE 112

The present Charter shall remain in force indefinitely, but may be denounced by any Member State upon written notification to the Pan American Union, which shall communicate to all the others each notice of denunciation received. After two years from the date on which the Pan American Union receives a notice of denunciation, the present Charter shall cease to be in force with respect to the denouncing State, which shall cease to belong to the Organization after it has fulfilled the obligations arising from the present Charter.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, whose full powers have been presented and found to be in good and due form, sign the present Charter at the city of Bogotá, Colombia, on the dates that appear opposite their respective signatures.

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