

1960

### UNYIELDING AMERICAN POSITION ON GERMANY AND BERLIN

Mr. KEATING. Mr. President, I wish to call attention to the AFL-CIO magazine supplement entitled, "American Labor seeks Peace and Freedom," published in Sunday's issue of the New York Times. This supplement contains a number of excellent and informative articles on American foreign policy, with emphasis upon the promotion and maintenance of peace and freedom throughout the world.

Mr. President, the publication of these articles, written by several distinguished Americans noted for their knowledge of international affairs, indeed constitutes an important and valuable contribution to greater understanding of America's position in the world in which we live. The introductory statement to the articles notes that the publication of the supplement is in conjunction with the AFL-CIO conference on World Affairs and is an effort to maintain and encourage an informed public opinion.

Mr. President, I ask unanimous consent that the introductory statement be printed at this point in the RECORD in connection with my remarks.

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

#### FOR AN INFORMED PUBLIC OPINION

The American Federation of Labor and Congress of Industrial Organizations believe that in a democracy informed public opinion must participate and lead in the development of foreign policy. Our Nation's foreign policy, if it is to have public understanding and support, cannot be created and fashioned behind closed doors.

We believe, quite frankly, that a large part of America's difficulties in world affairs stem from the fact that the American people have too often been kept in the dark about the developing stages of major foreign policy. This is particularly true of a large part of the American press which rarely prints serious news about foreign affairs.

As the world crisis deepens, it becomes more and more imperative that the American people be better informed and more informed on the issues of foreign policy, particularly as it concerns our relations with the Soviet Union. The AFL-CIO and many of its constituent unions have devoted much time and money in an endeavor to keep their memberships abreast of foreign policy developments. That is why the AFL-CIO called its recent conference on world affairs. That is why we are publishing this special supplement which includes excerpts from addresses by speakers at the conference so that those who seek information can find it readily.

The AFL-CIO hopes that our contributions to the great debate will alert the American people to the urgency of the world crisis and the necessity of creating a positive program which will prevent further totalitarian encroachment and at the same time aid countries, now emerging from colonial bondage or struggling for existence, to achieve progress and prosperity and to become viable free societies.

To the success of this struggle, to the achievement of human rights, peace and freedom for all mankind, this special supplement is dedicated.

Mr. KEATING. Mr. President, I wish to call special attention to an article by the Under Secretary of State, Mr. Douglas Dillon, which appeared in the

AFL-CIO supplement. Secretary Dillon addressed himself to what he termed the "central issue confronting the Soviet Union and the Western nations"—namely, the problem of Berlin and Germany.

Mr. Dillon's article is an excellent and clear-cut enunciation of America's determination to hold firm in our support of a United Germany, and stanchly opposed to the "isolation and engulfment" of West Berlin. Mr. Dillon states explicitly that "In the long run, the problem of Berlin and Germany can only be solved through German reunification."

Mr. President, there is absolutely no question that the regime in power in East Germany does not represent the hopes and aspirations of the people it so arbitrarily controls. Secretary Dillon rightly points out that "it is doubtful that these rulers could remain in power for a single day without the support of Soviet bayonets."

Mr. President, I commend Secretary Dillon for his thoughtful treatment of a subject which is recognized by many to be the most important and far-reaching issue of the cold war. I ask unanimous consent that the article be printed at this point in the RECORD.

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

#### IF PEACE IS TO BE KEPT

(By Douglas Dillon)

The central issue confronting the Soviet Union and the Western nations at the summit is the problem of Berlin and Germany. No issue on earth today is more critical. It involves the immediate fate of two and a quarter million West Berliners and the ultimate destiny of about 70 million Germans. It bears directly upon the future stability of Central Europe and the possibility of a lasting European peace. It represents a critical test of the integrity and dependability of the free world's collective security systems—because no nation could preserve its faith in collective security if we permitted the courageous people of West Berlin to be sold into slavery. It also represents a critical test of Soviet good faith in all areas of negotiation. For the goals of disarmament and the general improvement of East-West relations have no prospect of attainment if we find that the Soviet rulers or their East German puppets are prepared to use force or the threat of force in an attempt to isolate and eventually to subjugate West Berlin. Finally, we must recognize that the issue of Berlin and Germany, if it cannot be resolved through negotiation, may involve the gravest of all issues: the issue of peace or war.

In the long run, the problem of Berlin and Germany can only be solved through German reunification. This the Soviets have so far rejected, fearing to put their rule in East Germany to the test of a free vote. But we cannot abandon our goal or abate our efforts toward its achievement, because we know that a divided Germany will remain a powder keg so long as the division persists. Meanwhile, we are willing to consider interim arrangements to reduce tensions in Berlin and lessen present dangers. But we are determined to maintain our presence in Berlin and to preserve its ties with the Federal Republic. We will not accept any arrangement which might become a first step toward abandonment of West Berlin or the extinguishing of freedom in that part of Germany which is a free,

peaceful, and democratic member of the world community.

It would be highly optimistic to pretend that prospects of an early agreement are bright. Mr. Khrushchev has had a great deal to say recently which bears upon Berlin and Germany, and his words leave the inescapable impression that the Soviet view of Berlin is far removed from the facts. Let us examine some of his comments:

He begins with the assertion that West Berlin lies on the territory of the so-called German Democratic Republic. This is not only false, it is contrary to the pledged word of the Soviet Government. While it is true enough that the Soviet-occupied portion of Germany surrounds Berlin, it is equally true that Berlin was given separate status under the occupation agreement—which the Soviets themselves formulated, together with the British and ourselves. Moreover, the so-called German Democratic Republic is one of the outstanding myths in a vast Communist web of prodigious mythology. Its puppet rulers are totally under the control of Moscow. Despite tireless efforts to build a local Communist apparatus in East Germany, it is doubtful that these rulers could remain in power for a single day without the support of Soviet bayonets. The East German regime is not recognized as a government by any non-Communist nation. Both legally and as a matter of geographic fact, West Berlin is entirely independent of the so-called German Democratic Republic—and it will remain so.

Mr. Khrushchev continues to insist that Western forces leave West Berlin and that it be declared a "free city." He ignores the fact that West Berlin is already a free city—the lone island of freedom within the sprawling Communist empire. When he speaks of making West Berlin a "free city," his meaning is only too clear: he desires West Berlin to be free from protection, free from security, free from its commercial and cultural ties with West Germany—and cut off from freedom itself.

Mr. Khrushchev has also complained that the situation in Berlin is abnormal. With this contention, we can wholeheartedly agree. It is indeed abnormal when one million East Berliners are forcibly divided from more than two million fellow citizens in West Berlin—when they are constrained to live under a totalitarian regime unlawfully imposed by a foreign power—and when even family units are divided by an arbitrary boundary imposed in the name of a foreign ideology.

But the abnormal situation in Berlin is merely one facet of the greater abnormality created by the artificial separation of the east zone from the remainder of Germany. The monstrous nature of this abnormality has been strikingly demonstrated by the fact that more than two and a third million East Germans and East Berliners have, during the last 10 years, exercised the only franchise available to them and have voted with their feet against Communist rule by fleeing to West Berlin and the Federal Republic.

The abnormality of which Mr. Khrushchev speaks can be cured only by permitting the whole German Nation to decide its own way of life. The only practical way in which they can exercise this right is through free elections. Mr. Khrushchev and other Soviet spokesmen have often proclaimed their devotion to the principle of self-determination. This pretense is exposed as an empty gesture when they refused to apply the principle of self-determination to Berlin and Germany.

Mrs. Khrushchev has also argued that we must move rapidly to liquidate the leftovers of the Second World War—among which he includes what he describes as the occupation of West Berlin by American, British, and French forces. We are even more anxious than Mr. Khrushchev to liquidate the left-

overs of World War II, but Mr. Khrushchev must recognize that these leftovers are rather numerous:

Is the Soviet Union prepared to remove its forces from East Germany and the eastern European countries on which they are imposed? Is it willing to grant self-determination to the East Germans and to permit the peoples of the Soviet-dominated states in Eastern Europe to choose their own destiny? Is it willing to withdraw support from the Communist regime in North Korea and to permit the whole Korean people to reunite under free elections supervised by the United Nations? Is it at last willing to cease obstructing the operation of the United Nations Charter—to which the Soviet Union pledged itself in San Francisco—and whose application it has consistently frustrated by a series of vetoes in the Security Council?

The United States and its Western Allies would be happy indeed to see these leftovers of World War II liquidated. But we are not prepared to begin this process by permitting the isolation and engulfment of West Berlin.

We have repeatedly informed Mr. Khrushchev that we will not negotiate under duress. Yet in his recent statements about his intentions to sign a separate peace treaty with the so-called German Democratic Republic unless an East-West agreement is reached on Berlin, he is skating on very thin ice. We are approaching the summit with every intention of seeking a mutually acceptable solution of the German problem, including Berlin, of seeking just settlements of other international differences, and of exploring ways to improve relations between the Western World and the Soviet bloc.

#### CZECHOSLOVAK NATIONAL COUNCIL URGES FATE OF CAPTIVE NATIONS BE DISCUSSED AT SUMMIT MEETING

Mr. KEATING. Mr. President, last week representatives of the Czechoslovak National Council of America presented me an important memorandum concerning the forthcoming summit conference. They also conferred with officials at the State Department about the part our Government should play at this vital meeting.

It is important for the United States to grasp every opportunity to discuss the fate of the captive nations and to press for the holding of free and honest elections behind the Iron Curtain. We cannot, and must not, accept the present state of affairs, when so many noble peoples are being subjugated by Communist tyranny. I am hopeful this whole subject will be explored at the summit conference.

Because it contains a message of vital importance to all concerned with our friends behind the Iron Curtain, I ask unanimous consent that the memorandum to which I have referred be printed at this point in the RECORD.

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

#### MEMORANDUM OF THE CZECHOSLOVAK NATIONAL COUNCIL OF AMERICA CONCERNING THE SUMMIT MEETING

On the eve of the summit meeting, scheduled for May 16, 1960, we wish to declare that countless Americans of Czechoslovak descent shall give again—as they have always done in the past—their wholehearted support to any U.S. policy designed to restore freedom and justice to the people now living under Communist rule.

We recall with satisfaction many earlier efforts of our Government and are hopefully confident that a persistently vigorous policy along the same lines might ultimately yield the desired results.

The U.S. policy, as we see it, is based on the following assumptions:

(1) There is no freedom in the captive nations and the division of Europe (not only of Germany) is unnatural.

Captive Nations Week resolution of July 1959: “\* \* \* the enslavement of a substantial part of the world’s population by Communist imperialism \* \* \*.”

The Bermuda Declaration of December 8, 1953: “We cannot accept as justified or permanent the present division of Europe.”

(2) The interest of peace and justice requires a discussion of the captive nations with the U.S.S.R.

President Eisenhower replying to Premier Khrushchev in 1958: “Surely the Hungarian developments and the virtually unanimous action of the United Nations General Assembly in relation thereto show that conditions in Eastern Europe are regarded throughout the world as much more than a matter purely of domestic scope. I propose that we should now discuss this matter. There is an intrinsic need of this, in the interest of peace and justice, which seems to me compelling.”

(3) The U.S. Government has a moral duty and right to concern itself with the problems of the captive nations.

This right is based, among other things, on the following documents:

The Atlantic Charter, indorsed by the Soviet Union on January 1, 1942, containing the principle that the signatory powers shall “respect the right of all peoples to choose the form of government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them.”

The Teheran Conference of December 1, 1943, stating that the “three governments will jointly assist the people in any European liberated state \* \* \* (c) to form interim governmental authorities broadly representative of all democratic elements in the population and pledged to the earliest possible establishment through free elections of governments responsive to the will of the people; and (d) to facilitate where necessary the holding of such elections.”

The treaties of peace concluded with Hungary, Bulgaria, and Rumania on February 10, 1947:

“Hungary (Bulgaria, Rumania) shall take all measures necessary to secure to all persons under Hungarian (Bulgarian, Rumanian) jurisdiction, without distinction as to race, sex, language, or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion, and of public meeting.”

(4) The U.S. Government wishes to see free elections to be held in the now captive nations.

This desire is based not only on the principles of our democratic traditions, but also on the spirit of the United Nations Charter and the Universal Declaration of Human Rights, adopted December 10, 1948:

“The will of the people shall be the basis of the authority of government. This will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held in secret vote or by equivalent free voting procedures.”

(5) Unless such elections are held and liberty and independence restored, the people of the United States are not prepared to accept the present status quo of the captive nations as just and permanent.

Captive Nations Week resolution: “It is fitting that we clearly manifest to such peo-

ples through an appropriate and official means the historic fact that the people of the United States share with them their aspirations for the recovery of their freedom and independence.”

The Potomac declaration of June 29, 1954: “We will not be party to any agreement or treaty which would confirm or prolong the subordination of the formerly sovereign states of central and eastern Europe, now held in bondage by the U.S.S.R.”

The logical sequence of the previous assumptions is found in the three following points, which thousands of American citizens of Czechoslovak descent wish to be our policy at the forthcoming summit meeting:

(1) That the U.S. Government insist on a discussion of the fate of the captive nations.

(2) That the U.S. Government refuse to recognize the present status quo in central and eastern Europe as just and permanent.

(3) That the U.S. Government demand that free elections under international control be held throughout the captive nations.

JAMES HOVORKA,  
*President, Czechoslovakia National Council of America.*

ANDREW JICISSEL,  
ANDREW VALUSEK,

*Vice President.*

EMILIE WELCH,  
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D. VISNOVY,  
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MARIA VACLAVELX

FRANCIS SCHWARZENBERG,  
*Chairman, Political Committee.*

CHICAGO, May 1960.

#### PROFESSOR WESTIN SUPPORTS EAVESDROPPING LEGISLATION

Mr. KEATING. Mr. President, yesterday’s New York Times contains a very important letter to the editor from Prof. Alan F. Westin, of Columbia University. Professor Westin has served as a consultant to the Senate Subcommittee on Constitutional Rights, on the subject of wiretapping and eavesdropping, and has given a great deal of study to this whole problem.

The point of Professor Westin’s letter is that a comprehensive eavesdropping statute, such as the one I have introduced—S. 1292—would be very helpful in combating unauthorized private eavesdropping. This is an aspect of the subject which frequently is overlooked by those who have an adverse, emotional reaction to all legislation in this field. The truth is that under present law the private citizen has practically no protection against electronic snooping, while, at the same time, law-enforcement agencies are completely stymied in legitimate efforts to obtain evidence of crime plotted by telephone.

Professor Westin, in his other writings, has made the point that it is not outside “traditional justice” to permit wiretapping and other forms of eavesdropping under the safeguards of a court order. My comprehensive bill—S. 1292—based on the law in New York, would impose this requirement on all law-enforcement officers, and at the same time would add important protection against unauthorized invasions of privacy under any other circumstances. The provisions of the more limited bill which Representative CELLER and I have introduced in the House and in the Senate—S. 3340—are likewise designed to permit State wiretapping only under the same limitations.