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The United States Congress conference committee system and reciprocal trade legislation, 1951-1962.

Ernest A. Chaples

University of Massachusetts Amherst

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THE UNITED STATES CONGRESS CONFERENCE COMMITTEE SYSTEM
AND RECIPROCAL TRADE LEGISLATION, 1951-1962

Ernest A. Chaples, Jr.

A. B., University of Massachusetts, 1961

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CHAPTER I

THE CONFERENCE COMMITTEE

When the authors of the Constitution of the United States devised a bicameral legislative system for the new government, they made no provision for settling differences between the two branches of Congress. Early in the history of Congress, however, it became apparent that some device was necessary in order to resolve differences of opinion between the House of Representatives and the Senate.

It is not unreasonable to expect that disagreement will arise in a bicameral legislative system. With the two chambers of the legislature representing different types of interests and constituencies, with one chamber based roughly on population and the other on state sovereignty, and with one chamber more than four times the size of the other, disagreement becomes an even more reasonable expectation. In the American legislative system, however, the two chambers of the legislature are relatively equal in power. Therefore, coercion by a stronger chamber is not ordinarily possible. It has then evolved that two relatively equal branches of the legislature should settle their differences by discussing them. From this necessity came a reasonable solution, the conference committee, a device created to compromise the differences between the two chambers of the American legislature.

A. Scope of the Paper

The main purpose of this paper is to examine the role of the conference committee in the legislative process. In order to do this I have selected five specific Congressional acts; i. e., the Trade Agreements Extension Acts of 1951, 1953, 1955, and 1958 and the Trade Expansion Act of 1962. These Acts were picked for this study for the following reasons:

1. Reciprocal trade legislation has been a continuing political issue for many years in the United States.
2. Trade legislation and tariff rates have been highly partisan issues for many years.
3. The two committees of Congress which handle trade legislation, the House Ways and Means Committee and the Senate Finance Committee, are generally considered to be among the most powerful and prestigious committees in Congress.
4. Reciprocal trade legislation represents a continuing issue which the Congress has had to deal with at regular intervals for nearly thirty years.
5. The acts mentioned above represent the five most recent trade acts that were taken to conference committee.

In examining these acts I have attempted to analyze them in order to answer certain specific questions about them. In each instance I have tried to determine the role of the conference committee. I have attempted to discover whether the conference committee was truly a compromise making body, or whether at times it became concerned

with making decisions on legislative matters and in fact wrote new legislation. I have attempted to measure the relative strength of the House of Representatives versus the Senate within the conference committee. Then I have examined the individual conferees in order to trace their importance and position within the conference. Finally, I have attempted to determine how well the conferees represent the feelings of their respective chambers, their political parties, and their standing committees.

In a somewhat different vein I have attempted to determine the relative importance of the President and the administration in determining final conference results. In certain instances it has been difficult, due to a lack of sufficient information, to arrive at an adequate conclusion on these matters. The secrecy of conference committee proceedings has left a great many unanswered questions concerning the operations of this legislative institution.

B. Appointment of a Conference Committee

The conference committee is actually a joint committee of the House and the Senate. A new conference committee is created whenever one house refuses to agree to the version of a bill or resolution as passed by the other house. The committee is usually made up of from three to nine members of each house. The Speaker of the House has appointed House conferees since 1890. The Senate President (Vice-President) has traditionally appointed Senate Conferees.¹

¹Ada C. McCown, The Congressional Conference Committee (New York, 1927).

Both the Speaker and the Senate President are limited by custom in their choice of conferees, however. Except in very unusual situations the chairman of the committee which has handled the bill in each chamber heads his chamber's delegation. Other members are chosen by selecting in order the ranking majority and minority members of the committee. In actual practice the conferees are usually named from a list presented to the presiding officer by the floor manager of the bill after he has consulted with the majority and minority leaders.

C. Procedure in Seeking a Conference

The decision as to whether to seek a conference is of vital importance to Congressional leaders. However, almost all important pieces of legislation eventually go to conference. Gross maintains that the realization that a conference committee will eventually be appointed creates a natural tendency to postpone serious conflict and to pass the buck to the conference committee.² And it appears true that Congressmen will often fail to try to amend legislation on the floor if they feel that they can win their point in conference.

The conference stage is actually reached when a disagreement is formally stated by either house. This disagreement will usually occur when the second house has amended a bill and returned it to the house of origin which in turn refuses to accept the amendments. Quite frequently, however, the second house will assume that the

²Bertram M. Gross, The Legislative Struggle (New York, 1953), p. 318.

house of origin will refuse to accept the changes and will vote to insist on them and to request a conference.³

There are actually two possible reasons for one chamber requesting a conference before the other chamber acts on its amendments. One reason is to speed the process of the conference, when a conference is quite obviously inevitable; the other is for strategic reasons. The chamber which asks for the conference has the last say on the conference report; i. e., the other chamber must debate and vote on the report first.

In like manner one chamber may prevent a bill from going to conference committee because there is no time for conference action or because the apparent makeup of a conference will produce undesirable conference results. If either of these possibilities seems distinctly possible, Congressmen will often go to great lengths to avoid sending a bill to conference committee.

D. Procedure in the Conference

The senior appointed Senator of the majority party usually serves as chairman of the conference committee. The number of conferees from each house is not necessarily equal since the conferees of each house vote as a unit. A majority vote of the members of either house determines the position of that house, and therefore a majority of conferees of each house is necessary in order to obtain approval of each measure and subsequently for the approval of the final report.

³Gilbert Steiner, The Congressional Conference Committee (Urbana, Ill., 1951), p. 7.

This makes the selection of the number of conferees a strategic decision for party leaders as it gives them their only real leverage in determining final conference results.

A manipulation of conference committee members can occasionally give party leaders an opportunity to deviate from strict adherence to the seniority system. The most common representation on a conference committee is three members from each house, two from the majority and one from the minority. Occasionally, however, by increasing the representation of one house to five or seven members, a majority leader can present to the presiding officer a committee membership more acceptable to the party leadership.

Both parties are represented on the conference committee, with the majority party having the larger number of conferees (usually one from each chamber more than the minority). However, as a majority of conferees from both houses must sign the eventual report, the minority party members often play a key role in the proceedings. All proceedings of the conference are kept secret, generally for the purpose of protecting conferees from outside pressures.

E. Congressional Control of the Conference

In theory, conference committees are not permitted to write new legislation. This rule is occasionally by-passed when new language is necessary in order to make the bill acceptable to each house. One of the purposes of these case studies, however, is to examine whether or not conference committees do go outside their parliamentary prerogatives by writing new legislation. Each house has rules whereby

conference reports are subject to a point of order if new material is included in the final bill.⁴

The primary purpose of the conference, however, is to reconcile the differences of the Senate and the House. Supposedly conferees will grant only those concessions which their house will agree to accept. Conferees either recede from or concur with the amendments of the other house. On occasion an impasse will develop in which conferees will not be able to agree upon a certain provision. Then the conferees will either go back to their respective chambers for a vote on the matter or will allow the bill to die in conference.

When a majority of the conferees of both houses finally reach an agreement, they prepare a conference report, explaining what they did and why they did it. These reports are always printed in the House. An oral explanation is often made by one of the conferees in the Senate. Conference reports are privileged matters in both the House and the Senate and can be called up on the floor as soon as they are filed.⁵

A conference report cannot be amended when it is brought up for final consideration. Likewise it cannot be referred to a standing committee or to the House Committee of the whole. The report must be adopted or rejected in its entirety. Rejection of a report is usually followed by the ordering of another conference, if time

⁴Congressional Quarterly Fact Sheet, Congressional Quarterly Weekly, May 1, 1959, p. 597.

⁵Op. cit., Congressional Quarterly Weekly.

allows. By custom the same conferees are named to the second conference committee.

Conference reports can only be amended by concurrent resolution and this is usually reserved for a technical change. Partial reports will be accepted in both chambers at times. In such a case each house may indicate what position it wishes its conferees to take on the undetermined portion of the bill.⁶

F. Dissatisfaction with the Conference System

As the conference system is controlled by the most senior members of Congress and as conference proceedings are often so important, there has often been a great deal of dissatisfaction with the actions of various conference committees. Though it is generally conceded that nothing can be deleted in conference that has previously been agreed upon by both houses, there have been serious objections to selecting members of conference committees strictly by seniority. As previously stated, this often produces conferees who are not at all in agreement with the general wishes of their house.

In 1958, Senator Joseph S. Clark (D-Pa.) unsuccessfully proposed a Senate resolution by which he would require that a majority of Senate conferees "must have indicated by their votes their sympathy with the bill as passed and their concurrence in the prevailing opinion of the Senate on matters of disagreement with the House" on

⁶Steiner, p. 11.

matters which are subject to conference committee action.⁷ Senator Clark has unsuccessfully proposed this resolution in each Congress since 1958, but he has never received a hearing in the Senate Rules Committee on the resolution.

Taking a clue from this resolution, this paper will attempt to examine the action of conferees in an attempt to see how well they do represent the prevailing opinion of their respective houses and also how well they represent their standing committees.

G. Summary

This chapter has attempted to present the focal point for observing conference committee action. I have presented the legislation to be studied and the reasons for studying it. In addition to this I have noted important points of focus, namely conference committee appointment, procedural matters in seeking and in carrying out a conference, Congressional control over the conference and dissatisfaction with the conference system

It should be noted at the outset of this paper that the sample on which this study is based is necessarily restricted in size and scope. Congress deals with literally hundreds of conference reports each session, and each of these conference reports is written by a different committee using differing methodology and reaching their conclusions in different ways. This study is only meant to suggest

⁷Op. cit., Congressional Quarterly Weekly.

the results of conference committees dealing with reciprocal trade legislation and representing the two standing committees involved. It is hoped that some insight can be gained from this study into the overall problem of conference committee behavior.

CHAPTER II

RECIPROCAL TRADE LEGISLATION

One of the express powers of the United States Congress as stated in Article I, Section 8, of the Constitution is to "regulate commerce with foreign nations." For years the question of tariff policy has played an important role in American politics, and the battles between the "free traders" and the "protectionists" raged in Congress and on the campaign trails. Since the substantive area of research in this paper is reciprocal trade legislation, it seems reasonable to examine the history of reciprocal trade before going on to the actual case studies.

In 1930, the Republican 71st Congress revised the tariff rates and classifications of the United States for the last time in an act known as the Smoot-Hawley Tariff Act. This 1930 act, which reflected the protectionist bias of the majority of Republicans, raised tariff duties to an all-time high. It was felt that the Smoot-Hawley tariff would assure the return of domestic prosperity to the United States during a period of world-wide depression.

History has shown that the tariff of 1930 was unsuccessful in accomplishing its objective, and the Republican tariff policy became an issue of some importance in the presidential campaign of 1932. Yet despite his huge election margin in 1932, President Franklin

Roosevelt found that it was not easy for the Chief Executive to change an American tariff policy which was dependent on Congressional statute. The Executive branch would have to negotiate treaties which could only go into effect upon the approval of two-thirds of the United States Senate. Under these conditions most foreign nations were extremely reluctant to even discuss tariff change with the United States (the Senate-Wilson fiasco over the Treaty of Versailles had never been forgotten in other parts of the world).

One of the primary advocates of liberal tariff policy in this country was the new Secretary of State, Cordell Hull. Hull had fought Republican protectionists vigorously while he was a member of the House of Representatives, and he was determined to bring about a change in tariff policy under the new administration. With great effort, Hull persuaded Congress to adopt the Trade Agreements Act of 1934. Despite huge Democratic majorities in both chambers, the Congress was loath to give to the executive one of its most cherished political privileges.

However, public reaction to the Smoot-Hawley Tariff had been adverse, and under the strong leadership of Roosevelt, Hull, and the Democratic leadership in Congress, the act was passed. The main purpose of the act was to permit the Executive to negotiate reciprocal reductions in tariffs with foreign nations.⁸

⁸March 20, 1934--House of Representatives, 274-111
June 4, 1934--Senate, 57-33.

The new act, an amendment to the Smoot-Hawley act, gave the President the power to reduce tariff rates by as much as 50 percent in exchange for similar reductions by other nations. The Smoot-Hawley rates were to serve as maximum rates under the act.

At the same time, the Congress did place certain specific limitations on the President's power to act. Although the main purpose of the new act was to increase our exports, action was to be slow and cautious. The President was forbidden to transfer items from the so-called "duty list" to the "free list." While the reductions in tariff were intended to apply to all nations who did not discriminate against us, the preferential Cuban treaty of 1902 was to be left untouched. This treaty, signed at the granting of independence to Cuba, granted special concessions to the Cuban government.

The President was also instructed in the act to notify all affected persons before negotiating a treaty, and all such persons were to be given a chance to present their views. The President was also to seek the advice of a number of sources before making an agreement, including a special Tariff Commission, certain cabinet members, and other "appropriate sources." The President was prohibited from negotiating foreign debts. And finally the act was to expire in three years, which definitely limited the bargaining power of the Executive.⁹

⁹Cordell Hull, The Memoirs of Cordell Hull, Vol. I (New York, 1948), p. 352.

Roosevelt applied for extensions of the Tariff Act in 1937, 1940, and 1943, and the basic authority of the act was extended in each instance. However, by 1945 agreements had been signed with 27 separate nations and much of the original authority to reduce tariff had been exhausted. Because of this the President requested further power to reduce rates up to 50 percent, using the rates effective in 1945 as a base.¹⁰ Congress granted him this power. As a result of the 1945 act, the President was able to negotiate agreements with 22 other countries. The United States also entered into a multilateral conference at Geneva, Switzerland, which produced the General Agreements on Tariffs and Trade (commonly referred to as GATT), and which remain in effect. As of 1963, 40 countries had signed the GATT agreements, but the creation of the European Common Market has greatly reduced their potential and impact.

After 1945, however, most of the amendments to the tariff act extensions were in the form of restrictions on the executive power. In 1942 the administration proposed an "escape clause" in an agreement with Mexico. The terms of the "escape clause" were that either party could modify concessions if increased imports threatened to injure domestic production. By 1943, due to Congressional prodding, the administration informally agreed in a gentlemen's agreement to include "escape clauses" in all subsequent tariff agreements.¹¹

¹⁰Congressional Quarterly Almanac--1958 (Washington, 1958), p. 166.

¹¹Howard S. Piquet, The Trade Agreements Act and National Interest (Washington, D. C.: The Brookings Institute, 1958), p. 16.

In 1948, the Republican 80th Congress was successful in enacting the first formal restriction of Presidential powers in the "peril point" provision. This provision stated that the President must furnish the Tariff Commission with a list of all proposed tariff concessions, and the commission was to specify the rates of duty below which tariffs could not be lowered without injuring domestic producers. The commission's findings were advisory only and not binding on the President. The peril point provision was dropped in a 1949 extension but was added again in the 1951 act (one of those investigated here). The escape clause was also formally written into the act in 1951, therefore making meaningful reduction more difficult after 1951.¹²

After the Republican victory in 1952, the trade agreements act came up again in 1953, facing for the first time both a Republican Congress and a Republican President. This Congress, however, merely extended the act intact for one year (to 1954) and established the famous Randall Commission which was to report to the nation on tariff policy the next year.

The Randall Commission proved to be a disappointment to the protectionist-minded Republicans, for it recommended the following:

1. Reduction of general tariff rates by 5 percent a year below 1955 levels.
2. The President be granted the right to lower tariffs up to 50 percent on unimportant items of trade.

¹²Ibid.

3. The continued lowering of tariffs to 50 percent "ad valorem" if the tariff rates were higher than said 50 percent, through international agreement.¹³

Due to election year pressure, the Republican leadership, in order to prevent a party fight, ignored the findings and asked for an extension of the act without change to 1955.

In 1955, with the Democrats back in control of Congress, the President requested a three-year extension, generally adopting the modest proposals of the Randall Commission. The extension was granted after a bitter Congressional controversy, but only after two more restrictions were added. One of these was the so-called "national security" amendment and the other was designed to strengthen the above mentioned escape clause.

The original act came up one more time for extension in 1958 when the Democrats were firmly in control of Congress. President Eisenhower requested a five-year extension of the agreements with further power to reduce tariffs. The House adopted the President's request almost in total, but the Senate adopted only a three-year bill with a reduced power of reduction far less than the President requested. The Congress also added, for the first time, a provision giving Congress the power to enforce acceptance of Tariff Commission findings on the President by a two-thirds vote if he ignored the commission's reports. In the end a four-year extension with limited

¹³Congressional Quarterly Almanac, 1958, p. 166.

powers of reduction was granted, but the Congressional veto was maintained. This will be examined in detail in the study of the 1958 bill.

The most recent piece of trade legislation was the Trade Expansion Act of 1962. Unlike the other cases examined this bill was not a modification and extension of the Trade Agreements Act of 1934 but was a completely new bill with certain new approaches to world trade problems. One of the main advantages of the new act was that it made permanent all changes made in the 1958 extension, while the previous extension bills were merely temporary modifications of the 1934 bill.¹⁴

The Trade Expansion Act gave the President a five-year authority, lasting until July 1, 1967, to cut existing tariffs, generally by 50 percent, to eliminate tariffs on certain categories of goods between the United States and the European Common Market, and to bargain with other nations on many other types of world trade. Much of the bargaining authority, however, was based on the condition that Great Britain be admitted to the Common Market. The bill also eliminated the old peril point requirement and provided for trade adjustment assistance, the most controversial part of the bill.

Cases in Point

The specific cases used in this paper are the Tariff Extension Acts of 1951, 1953, 1955, and 1958 and the Trade Expansion Act

¹⁴Congressional Quarterly Special Report, The Trade Expansion Act of 1962 (Washington, D. C., 1962), pp. 1-2.

of 1962. These acts provide the basis for an examination of the five most recent acts on reciprocal trade which went to conference committee. The 1954 act, passed in the waning days of the 83rd Congress, did not see conference action. These bills provide an interesting insight due to differing partisan divisions of the executive and legislative branches of government. The 1951 act was passed under a Democratic President and a Democratic Congress, the 1953 act under a Republican President and a Republican Congress, the 1955 and 1958 acts under a Republican President and a Democratic Congress (Democratic in differing degrees), and finally the 1962 act under a new Democratic President and a Democratic Congress.

CHAPTER III

TRADE AGREEMENTS EXTENSION ACT--1951

During the 1948 election, President Truman made an issue of the restrictive peril point amendment which the 80th Congress had added to the reciprocal trade program. Therefore, one of the first acts of the 81st Congress was a two-year extension of the program without this amendment.

However, when the time for extension came up again during the heat of the Korean War in 1951, the trade atmosphere had changed considerably. The President asked for an extension of three years with no restrictive amendments added. However, a minority of Democrats joined with an almost solid bloc of Republicans in questioning whether the trade program should continue unchanged.

The program was called up before the Ways and Means Committee of the House, and a Republican resolution to restore the so-called "peril point" provision was soundly beaten. A number of similar amendments were also defeated. On the floor, however, the Republicans were able to get the "peril point" amendment reinserted into the bill. A coalition of 42 Democrats joined with 183 Republicans to amend the bill.

When the protectionists found themselves in command in the House, they proposed additional amendments which barred tariff

concessions to the Communist bloc and also spelled out a method of "redress" for American industries injured by tariff concessions. The amendments were adopted and the bill was sent to the Senate where the Republicans hoped to insert more protective restrictions on the President's power.

After extensive hearings, the Finance Committee unanimously approved a bill on April 26, 1951, which was markedly different from the bill as passed by the House. The bill provided for a two-year extension instead of three years, the "peril point" provision in a slightly different form, a provision barring trade concessions to the Communist bloc, and a number of amendments prohibiting various classes of agricultural importing.

Despite these limitations on the scope of the tariff bill a small but vocal minority led by Senator George Malone fought any kind of extension. One important floor amendment was added by Senator McCarthy of Wisconsin which restricted imports of certain furs to 25 percent of domestic production. It was adopted by a voice vote. The final bill was passed on May 23 by an overwhelming margin of 72-2, and the Senate insisted on its amendments and called for a conference. In final passage the bill had the support of a number of Republicans who had consistently voted against earlier extensions of the act in less restricted form.¹⁵

¹⁵Congressional Quarterly Almanac, 1951 (Washington, 1951).

The Senate named the chairman of the Finance committee and the two ranking Democrats and two ranking Republicans as its conferees. They were:

George (D-Ga.)	Millikin (R-Col.)
Connally (D-Tex.)	Taft (R-Ohio)
Byrd (D-Va.)	

The House named the chairman of the Ways and Means Committee, the three ranking Democrats and the first, third and fourth ranking Republicans as its conferees, as follows:

Doughton (D-N.C.)	Reed (R-N.Y.)
Cooper (D-Tenn.)	Jenkins (R-Ohio)
Dingell (D-Mich.)	Simpson (R-Pa.)
Mills (D-Ark.)	

The conferees met for a brief period and completed their work on May 28th. The report contained the following provisions:

1. The extension was for two years as in the Senate bill instead of three years as in the House bill. House recesses.
2. The House had adopted an amendment which prohibited the participation of the Tariff Commission in negotiations on specific trade agreements. The Senate deleted this amendment and the amendment was struck out in conference. House recesses.
3. The House adopted an amendment which required the President to withdraw or prevent application of any trade concessions to the Communist bloc within 90 days. The Senate version

included an identical requirement, but with no time limit. The Senate version also gave the President the right to suspend all concessions to Communist countries at his discretion. The Senate version was accepted. House recesses.

4. The Senate had modified the House version of the compulsory "escape clause" in an effort to clarify the duties of the Tariff Commission in making rulings under the clause. The Senate version was accepted. House recesses.
5. The House had added an amendment which provided that no concessions should apply to any agricultural commodity for which price supports were available. The Senate adopted, instead, an amendment which said that no trade agreement should be adopted which was inconsistent with Section 22 of the Agricultural Adjustment Act. The Senate version was adopted with the addition of a clause stating that the maximum time for hearings and reports under said clause should be 25 days. House recesses.
6. A Senate amendment was accepted which restored the right of a domestic producer to appeal to customs court if he felt he was injured by an undesired tariff concession. This right was terminated by the original act of 1934. House recesses.
7. A Senate amendment was accepted which stated that enactment of this bill was not to be construed as approval or disapproval of the Congress of the General Agreements on Tariff and Trade (GATT). House recesses.

8. The Senate had added a floor amendment by Senator Joseph McCarthy (R-Wis.) which provided relief for the domestic fur industry by imposing a quota of 25 percent of the domestic production during the preceding year upon imports of mink, silver fox, and muskrat furs and skins. The House receded and the conferees added the following new wording to the amendment: "The President shall, as soon as practicable, take such measures as may be necessary to prevent the importation of ermine, fox, kolinsky, merten, mink, muskrat, and weasel furs and skins, dressed or undressed, which are the product of the Union of Soviet Socialist Republics or of Communist China."¹⁶

The report was first taken up on the floor of the Senate on May 29, 1951. This was an unusual move since in most cases it is customary for the chamber which called for the conference to consider the conference report last. The report met with almost no comment on the Senate floor and was passed by voice vote. The expectation by the manager of the bill that there would be little debate in the Senate on the conference report may account for their decision to refer it to the Senate before the House.

The House took action on the report on June 5 with Representative Cooper (D-Tenn.) explaining the results to the body. Representa-

¹⁶U. S. Congress, House, Conference Report, Trade Agreements Extension Act, Report No. 537, 82 Cong., 1st Sess., 1951, p. 2.

tive Reed (R-N.Y.) then took the floor and explained why the House conferees had so readily accepted most of the Senate's version of the bill. He pointed to the House action in restoring the peril point clause to prove that the House was in favor of restricting Presidential power. He then added that most of the differences between the House and the Senate bills were on matters of form and not on matters of substance. He claimed that the Democratic leadership in the House had hurried the bill through so quickly that the Republicans were unable to fully amend the bill to their satisfaction. The Senate had been successful in obtaining these changes. The House accepted the report by a voice vote.¹⁷

Analysis of Conference Results

The 1951 act appears to be an ideal example of the failure of conference committees to substantially effect a solution equitable to the interests of both houses. The majority of conferees in the House accepted the Senate amendments almost in entirety, and made legislative additions in point eight; thus overstepping its role as a compromise making body and serving as a legislative committee. There is nothing in either the House or the Senate bills which prohibits the importation of certain furs from the Communist bloc countries, as did the added section of the conference bill.

An analysis of the membership of the House committee, however, shows that on the one roll-call of significance (the vote on adding

¹⁷U. S. Congressional Record, 82nd Congress, 1st Sess., 1951, Vol. 97, Part 5, p. 6152.

the peril point clause) that the Democrats on the Ways and Means committee were unanimous in opposing the Republican amendment while Republicans on the committee were unanimous in supporting the amendment.¹⁸ There were no roll-calls on the bill in the Senate.

There appears to be no logical explanation for House conferees bending so easily to the desires of the Senate on this bill. It is possible that this was necessary in order to obtain any extension of the act, but there is no substantial proof of this. Despite the fact that the House bill was more acceptable to the Administration, there is no indication that the Administration took any strong action to obtain the House version of the bill. It is distinctly possible that the only explanation for the results of the conference committee deliberations is that Senate Democratic conferees (all Southerners and regarded as anti-Truman) were the dominant personalities in conference deliberations. There is almost a complete absence of roll call votes available on the 1951 bill, making a definitive analysis of individual positions difficult. The fact remains, however, that the Senate won an overwhelming victory in this conference.

¹⁸Dinsell of Michigan did not answer the roll call, but he has a history of supporting liberal tariff policies and also has a party unity index of 100 (Congressional Quarterly Almanac, 1951).

HOUSE WAYS AND MEANS COMMITTEE, 1951

Democrats

*Doughton (N.C.)	$\frac{A.}{\#}$	King (Cal.)	$\frac{A.}{\#}$
*Cooper (Tenn.)	#	O'Brien (Ill.)	#
*Dingell (Mich.)	?	Combs (Tex.)	#
*Mills (Ark.)	#	Boggs (La.)	#
Gregory (Ken.)	#	Keogh (N.Y.)	#
Camp (Ga.)	#	Granger (Utah)	#
Forand (R.I.)	#	Harrison (Va.)	#
Eberharter (Pa.)	#		

Republicans

*Reed (N.Y.)	X	Curtis (Nev.)	X
Woodruff (Mich.)	X	Mason (Ill.)	X
*Jenkins (Ohio)	X	Martin (Iowa)	X
*Simpson (Pa.)	X	Holmes (Wash.)	X
Kean (N.J.)	X	Byrnes (Wis.)	X

*Indicates a member of the 1951 conference committee on the Trade Extension Act. A. "Peril point" amend. (Simpson) Agreed to 225-168. (R. 183-3) (D. 43-165). Committee shows perfect party-line voting.

Source: Congressional Quarterly Almanac-1951.

Key: X--Agreement with majority
 #--Disagreement with majority
 ?--Not present

CHAPTER IV

TRADE AGREEMENTS EXTENSION ACT--1953

In 1953, extension of the reciprocal trade program was considered for the first time, when both the executive and legislative branches of government were under the control of the Republican party. However, the newly inaugurated Republican administration had not determined its tariff policy when the issue was first raised in Congress.

At the beginning of the 83rd Congress two bills were introduced into the House of Representatives concerning U. S. trade agreements. The first was a one-year extension introduced by Representative Simpson (R-Pa.). This bill broadened the definition of "injury" (i. e., the party hurt by reductions) in cases investigated by the Tariff Commission and also required the President to follow Commission recommendations on "peril point" and "escape clause" proceedings.

Another bill was introduced by Representative Frank D. Smith (D-Miss.) which would have extended the act for three years with the elimination of the "peril point" and "escape clause" provisions.

Finally, on April 7, President Eisenhower submitted to the House a request for a one-year extension without significant changes, pending a "through and comprehensive re-examination" of foreign

economic policy. On April 15, Representative Keating (R-N.Y.) introduced a bill which had administration approval.

After a long period of testimony, and much bitter debate, the House Ways and Means Committee adopted a new bill which would not make the "escape clause" findings by the Tariff Commission binding and which would expire in one year. In addition, the committee bill imposed a sizable quota on petroleum imports and imports of residual oil as well as a sliding scale on zinc and lead imports. The Rules Committee adopted a modified closed rule which granted a provision for deleting but not for adding new provisions.

When the committee bill came up for debate on the floor Representative Cooper (D-Tenn.) introduced an amendment striking the provision expanding the Tariff Commission from six to seven members. The amendment had been added to assure a Republican majority on the Commission. The Cooper amendment was defeated by a 115-152 standing vote. A later motion by Representative Smith (D-Miss.) to recommit the bill with instructions to delete this provision was also beaten by a huge 363-34 margin.

The Senate Finance Committee decided on June 18 not to hold hearings and accepted statements and a digest of the House hearings on the bill. The committee then overwhelmingly defeated the House provision increasing the size of the Tariff Commission and reported the bill on June 26. The Senate adopted the committee bill with only minor changes after refusing to accept a liberal substitute bill offered by Senator Kefauver which was similar to the Smith bill

introduced in the House.¹⁹ The Senate passed the extension on July 2, and after insisting on its amendments, it named a conference committee consisting of the chairman and the two ranking majority and two ranking minority members of the Finance Committee as its conferees, as follows:

Millikin (R-Col.)	George (D-Ga.)
Butler (R-Neb.)	Byrd (D-Va.)
Martin (R-Pa.)	

The House agreed to the conference and named the chairman of the Ways and Means committee plus the two ranking majority and two ranking minority members as its conferees. The members were as follows:

Reed (R-N. Y.)	Cooper (D-Tenn.)
Jenkins (R-Ohio)	Dingell (D-Mich.)
Simpson (R-Pa.)	

The conference committee held a number of meetings during the month of July while Congress drew close to adjournment. It was reported that the conferees had reached an impasse over increasing the membership of the Tariff Commission.²⁰ Finally, in the last days of the session the conference committee presented a report. The provisions of the report were as follows:

¹⁹Congressional Quarterly Almanac-1953 (Washington, D. C., 1953), pp. 210-216.

²⁰New York Times, July 21, 1953, p. 1.

1. The Senate amendment stating the passage of the bill was not to be construed as either approval or disapproval of the General Agreements on Tariff and Trade (GATT) was accepted. House recesses.
2. The Senate amendment stating that the Secretary of Agriculture could, under Section 22 of the Agricultural Adjustment Act, make emergency recommendations to the President without awaiting the recommendations of the Tariff Commission was accepted. House recesses.
3. On the section concerning the controversial increase in membership of the Tariff Commission, the House had passed an amendment increasing the membership from six to seven (for the purpose of obtaining a Republican majority). The Senate had struck out this amendment and substituted an amendment by which, in the case of a tie vote on the Commission, the President would receive both recommendations, pro and con, and then he would have the right to accept either report as he saw fit. The House accepted the content of the Senate amendment but also added the following restrictions:
 - A. Whenever one-half of the Commission votes to consider a specific case, it must be considered.
 - B. Whenever one-half of the Commission votes to hold hearings on specific grievances, such hearings shall be held.

4. The House had added a provision to the amendment which created the Commission on Foreign Economic Policy (later known as the Randolph Commission) which stated that a quorum on said Commission would consist of four members appointed by the President, three Senators and three Representatives. The Senate amendment stated that any nine members created a quorum. The compromise provision provided that any nine members, including at least five members of Congress, would constitute a quorum.
5. The Senate had removed a House amendment which exempted any individual appointed to the Commission on Foreign Economic Policy from being excluded or investigated under the so-called "conflict of interest laws." The Senate recedes and agrees to the inclusion of the original House amendment.
6. The Senate and House had adopted amendments which defined the duties of the Tariff Commission. The compromise merely accepted the combined wording of both the Senate and House provisions.²¹

The conference report was signed by all conferees with the exception of Representative Jenkins. When the report came up for action on the House floor in the waning hours of the session, Jenkins explained his reasons for refusing to sign the report. He announced that he opposed the report because the bill did not provide for the

²¹U. S. Congress, House Conference Report, Trade Agreements Extension Act, Report No. 1089, 83rd Cong., 1st Sess.

tariff policy that Republicans had promised the people if they were elected. He accused the Republican leadership of allowing the minority to subvert Republican policy. He rebuked his fellow conferees for refusing to stand firm on the seven-man Tariff Commission which would insure a Republican majority. He further charged that all the bill did was to maintain the same old Commission with the same old policies.²²

Representative Cooper announced that all minority members of the conference supported the report and urged its adoption.²³ The report was accepted by voice vote on August 1. The report was also accepted without debate on the final day of the session, August 3, in the Senate--also by voice vote.

Analysis of Conference Results

It appears that the conference report represented an adequate compromise between the two legislative bodies. To begin with, the differences between the two bills were not really extreme. On five of the differences, ready agreement was obtained. The Senate obtained its amendments concerning the General Agreement on Trade and Tariffs and concerning emergency agricultural tariff changes. The House obtained its amendment concerning exemption from "conflict of interest" laws, and an easy compromise was obtained on the issues of defining the

²²U. S. Congressional Record, 82nd Cong., 1st Sess., 1951, Vol. 97, Part 5, p. 6152.

²³Ibid.

duties of the new bipartisan fact-finding commission and on the quorum provisions for the commission.

The only real problem concerned the House amendment to increase the membership on the Tariff Commission. This provision kept the bill in conference for almost a month. The Republicans of the House had all supported this amendment with great zeal, but it finally became apparent that the Senate would not give in to this attempt to make the Tariff Commission a partisan body. In order to obtain a compromise solution which both satisfied the House Republicans' desire for a pro-Republican Commission and satisfied the Senate conferees as well, new wording was required in the conference report. Without this compromise there would have been no bill, and it seems apparent that administration pressure was brought to bear on the Republican conferees in the House to accept some compromise. Despite this Representative Jenkins refused to accede to the compromise amendment.

An examination of Figure 2 shows that there were four roll-call votes on reciprocal trade in 1953. Of these four, two roll-calls, A and D, are of primary importance in revealing the positions of conferees on the issues involved. A, the Smith motion to recommit, was rejected by a twenty vote margin. Since this amendment was concerned with a highly partisan issue, raising the membership of the Tariff Commission, the vote was almost entirely along party lines. On this vote the Republicans of the Ways and Means Committee were unanimously against recommitment, while the Democrats were unanimously for recommitment.

On roll-call D, the motion to recommit the highly protectionist Simpson amendments, all three Republican conferees voted against the majority in the House (Republicans were split 104 for, 105 against recommital). This would appear to illustrate quite well that a majority of House conferees in 1953 were of a different bent on reciprocal trade than was the majority of their party.

Though amendments to the 1953 extension were generally highly partisan in nature, and feeling ran in accord with party affiliation, the separate Simpson amendments stimulated bipartisan opposition. Figure 2 will show how House conferees voted in respect to their parties and their committee on important roll-call votes. There was a complete absence of roll-call voting on this issue in the Senate.

FIGURE 2

HOUSE WAYS AND MEANS COMMITTEE--1953

<u>Republicans</u>	<u>A.</u>	<u>B.</u>	<u>C.</u>	<u>D.</u>
*Reed (N.Y.)	X	X	X	#
*Jenkins (Ohio)	X	#	X	#
*Simpson (Pa.)	X	X	X	#
Kean (N.J.)	X	X	#	X
Curtis (Neb.)	X	X	X	#
Mason (Ill.)	X	#	X	#
Martin (Iowa)	X	?	X	#
Holmes (Wash.)	X	X	#	X
Byrnes (Wis.)	X	X	X	#
Goodwin (Mass.)	X	X	#	X
Sadlak (Conn.)	X	X	X	X
Baker (Tenn.)	X	X	X	#
Curtis (Mo.)	X	X	X	X
Knox (Mich.)	X	X	X	#
Utt (Cal.)	X	#	X	#
<u>Democrats</u>				
*Cooper (Tenn.)	#	X	#	X
*Dingell (Mich.)	#	X	?	?
Mills (Ark.)	#	X	#	X
Gregory (Ky.)	#	X	X	#
Camp (Ga.)	#	X	X	#
Forand (R.I.)	#	X	#	X
Eberharter (Pa.)	#	X	#	X
King (Cal.)	#	X	?	X
O'Brien (Ill.)	#	X	#	X
Boggs (La.)	#	X	#	X

A. Smith motion to recommit with instructions to strike out the clause raising Tariff Commission membership from 6 to 7. Rejected 185-215. (R. 6-200) (D. 178-15).

B. Passage of Bill. Passed 363-34. (R. 179-25) (D. 183-9).

C. Motion to amend 1951 Act to provide import quotas on petroleum products and for a sliding tariff on lead and zinc. Adoption of rule for consideration adopted, 219-183. (R. 138-72) (D. 81-110).

FIGURE 2--Continued

D. Motion to recommit Simpson amendment (above). Passed 242-161. (R. 104-105) (D. 137-56). Note: Simpson amendment was considered as a separate bill.

Key: X--Indicates agreement with the majority on the final vote.
#--Indicates disagreement with the majority on the final vote.
?--Absent on roll-call vote.
*--Indicates conference committee member.

CHAPTER V

TRADE AGREEMENTS EXTENSION ACT--1955

In 1954, following the release of the Randall Report, President Eisenhower submitted to Congress what he called "a fresh review" of tariff policy.²⁴ However, due to an internal division on tariff policy between the ultra-protectionists and the moderate advocates of reciprocal trade, the Republican leadership of the 83rd Congress was reluctant to get into an extensive disagreement over reciprocal trade. The administration, therefore, was forced to accept a one-year extension without important change.

In 1955 the President again submitted his recommendations, which were quite similar to those of 1954. In essence the President requested a three-year extension of the Reciprocal Trade Act which authorized reductions on existing tariffs up to 5 percent each year over a three-year period. He requested the right to cut duties up to one-half of existing rates on goods imported in negligible quantities. He also asked for the retention of "escape clause" and "peril point" provisions and for approval of the proposed revision of the General Agreement on Tariffs and Trade (GATT).

The bill was reported on February 14th from the House Ways and Means committee with provisions only slightly different from the

²⁴Congressional Quarterly Almanac--1955 (Washington, 1955), p. 290.

President's request. The committee bill provided for a three-year extension with authorization to cut existing rates on selected goods up to 15 percent at up to 5 percent each year. The other provisions were generally similar to the President's desires except for the deletion of the right to cut tariffs on negligible imports by up to one-half of existing rates. No action was taken on approving the new GATT agreements.

When the bill came before the House, a disagreement developed over the procedure in allowing floor amendments. Representative Howard Smith (D-Va.) offered a closed rule which would have limited debate and prohibit floor amendments, but the rule was rejected 178-207. After heated debate, a rule offered by Representative Clarence Brown (R-Ohio), which would have provided for five hours of debate and also for allowing floor amendments, also failed by a close 191-193 vote. The House finally adopted a closed rule almost identical to the Smith proposal prohibiting all debate by a 193-192 vote. After this parliamentary maneuver had been decided and the debate had been heard, Representative Reed (R-N.Y.) offered a motion to recommit the committee bill with instructions to require the President to comply with Tariff Commission findings. This motion was defeated by a 199-208 vote. The bill was finally passed on February 18 by a 295-110 roll-call vote.

When the bill was taken up by the Senate Finance Committee, protectionists were determined to continue the battle which they had lost so narrowly in the House. The committee rejected by a narrow

7-8 vote an amendment by Senator Millikin (R-Col.) to cut the extension of the act from three to two years. This amendment was defeated only by the unexpected help of the ultra-protectionist Senator George Malone (R-Nev.), who maintained that a two-year extension was as bad as a three-year extension.

The committee did, however, add a number of restrictive amendments to the House bill including one to limit the volume of imports when it threatened our national security and another to widen the scope of the "escape clause." The bill was finally approved on April 28 with only Senators Kerr (D-Okla.) and Malone (R-Nev.) dissenting.

When the bill came to the Senate floor, the Finance Committee amendments were viciously attacked but all efforts to delete them were easily beaten (see Figure 6), and the bill was passed with only one floor amendment accepted, an amendment by Wayne Morse (D-Ore.) clarifying the right of agricultural producers to seek Tariff Commission hearings. The bill was passed on May 4 by a 75-13 roll-call vote.²⁵ The Senate insisted on its amendments and named the chairman and the two ranking majority and minority members of the Finance Committee as its conferees. They were as follows:

Byrd (D-Va.)	Millikin (R-Col.)
George (D-Ga.)*	Martin (R-Pa.)
Kerr (D-Okla.)	

²⁵Ibid., pp. 282-290.

*Senator Byrd was given the proxy of Senator George's vote in conference and this was so noted on the conference report.

The House agreed to conference and named the chairman, the two ranking majority and the second and third ranking minority members of the Ways and Means Committee as its conferees. The ranking Republican, Representative Reed of New York, was absent from the House at this time due to illness. The House conferees were:

Cooper (D-Tenn.)	Jenkins (R-Ohio)
Dingell (D-Mich.)	Simpson (R-Pa.)
Mills (D-Ark.)	

The conference committee, after over a month of deliberation, presented its report on June 9, 1955. The results of the conference were as follows:

1. The House had proposed an amendment which would broaden the number of areas which could be included in a reciprocal trade agreement. The Senate had struck out this amendment. House recesses.
2. The House had provided that the enactment of the bill should not be construed to indicate the approval or disapproval of any previous trade agreements. The Senate amendment provided that enactment of the bill should not be construed to indicate approval or disapproval of the General Agreement on Tariffs and Trade (GATT). House recesses.
3. The House had provided for reducing rates by 15 percent of the existing rate on July 1, 1955. The Senate date was January 1, 1955. House recesses.

4. The House provided an amendment authorizing the President to reduce any rate to 50 percent of the existing rate on January 1, 1945, on products not normally imported into the United States or products that are imported in negligible quantities. The Senate had deleted this amendment. House recesses.
5. The House bill contained an amendment stating that if any trade agreement involving Japan was entered into before July 1, 1955, the rate of duty on any article was to be considered the rate existing July 1, 1955. The Senate eliminated this clause. House recesses.
6. The Senate act required the Tariff Commission to make reports to Congress on the operation of the trade agreements program. House recesses.
7. The Senate bill provided that the Tariff Commission be required to make public immediately its findings and recommendations to the President, including any dissenting or separate findings and recommendations. House recesses.
8. A compromise amendment concerning the wording of the "injured parties" clause in "escape clause" and "peril point" hearings was agreed upon. (Injured parties are those concerns directly affected by changes in tariff rates.)
9. The Senate had added an amendment that rates should not be lowered if such action would threaten to impair the national security. The House recesses after changing slightly the wording but not the intent of the amendment.

10. The Senate had proposed an amendment to clarify the right of agricultural interests to seek hearings before the Tariff Commission. Senate recesses.
11. There were a number of technical and clerical amendments added by the Senate. House recesses on all.²⁶

The report was taken up for consideration on June 14 in the House where it met with some opposition. Representative Cooper, Chairman of the Ways and Means Committee, announced that he had signed the report with "great regret and deep concern." He stated that it was his belief that the Senate amendments would seriously weaken American ability to obtain future rate concessions.

He further explained that the President had sent a letter to the conferees accepting all the Senate amendments except the Morse agricultural amendment. Under these conditions the House conferees did not have much to work with, and they were forced to accept virtually the entire Senate bill.²⁷

Representative Jenkins took the floor to express his approval of the conference results and to urge approval of the report. He pointed out that a motion to recommit the House bill in order to add many of these same amendments had been defeated by only an eight vote margin. Since that vote the President had agreed to accept the changes,

²⁶U. S. Congress, House, Conference Report, Trade Agreements Extension Act, Report No. 745, 84th Cong., 1st Sess.

²⁷U. S. Congressional Record, 84th Cong., 1st Sess., 1955, Vol. 101, Part 6, pp. 8159-8164.

and therefore the House should accept the conference report.²⁸ The report was finally adopted by a 347-54 margin. The report was taken up the next day in the Senate and was passed without controversy by a voice vote.

Analysis of Conference Results

It is apparent that the final result of this conference was the adoption in entirety, with the exception of the Morse amendment, of the Senate bill with a few minor changes in wording. It is not difficult to accept Representative Cooper's explanation that the willingness of the administration to accept the Senate amendments virtually cut the ground out from under the House conferees. It still remains, however, that the House managers did not represent the majority opinion of their chamber as shown at the time of passage of the House bill.

An examination of House roll-call votes (Figure 4) will show that the Democratic conferees voted with the majority of their party both in the House and in committee on every important roll-call on this bill. The House Republican conferees, however, did not represent the majority feeling of their chamber, their party on certain occasions or even the feelings of their party's members on the Ways and Means Committee.

In determining the attitudes of House conferees, the most important roll-call votes are items C, D, and E (A, B, and C concern

²⁸Ibid., p. 8163.

virtually the same issue). On item C, which determined the closed rule used for debate and the introduction of amendments, all Democratic conferees voted with the majority of their fellow Democrats while Republican conferees voted against the rule but also with the majority of Republicans. On the important vote D, the Reed motion to recommit the bill, the conferees of both parties voted with a majority of their party on the issue. But on item E, final passage, the Republican conferees, Jenkins and Simpson, both voted against the bill while a majority of Republicans voted for the bill.

A check of Senate roll-call votes (Figure 3) shows that all Senate conferees were generally in agreement with their party on this bill with the exception of Senator Kerr, who voted against the overwhelming majority in final passage as well as on other key votes. The most significant roll-calls to consider in order to determine the attitudes of conferees in the Senate are items C, D, and E (Figure 3). Item C is final passage of the bill on which all conferees voted yes except for Senator Kerr who was out of step with the Senate and with the majority of his party. Item D is actually a Finance Committee vote on an amendment by Senator Millikin to cut the period of extension from three to two years. On this vote (rejected 8-7) Senator Kerr was one of only two committee Democrats to support the amendment.

On item E, a committee vote concerning the strengthening of the escape clause, all three Democratic conferees voted "Yes" while the committee's Democrats were split evenly at 4-4. This amendment

was upheld, however, on the floor when the Douglas amendment (item B, Figure 3) was defeated. All of these items point to the fact that the conservatives held a distinct majority among the Senate's delegation to the conference committee.

A very real question can be asked here concerning the House's acceptance of a conference report which was so unrepresentative of its original views. While there is no proof to justify the overwhelming acceptance of the conference report in the House, it does not seem unreasonable to assume that advocates of reciprocal trade felt that they had gotten the best bill possible. The following items should be noted on this point:

1. The President had refused to back the House version of the bill.
2. The House Democratic conferees found themselves fighting for items in a bill proposed by a Republican President who would not fight for these items.
3. House Republican conferees were ardent opponents of the idea of reciprocal trade.
4. The majority for the bill in the House had been very thin, and the reversal of the President's position was probably crucial with enough members to change the results in the House.
5. It was late in the session, and the situation seems to have become acceptance of the Senate bill or no bill at all.

FIGURE 3

Finance Committee, U. S. Senate, 1955

<u>Democrats</u>	<u>A.</u>	<u>B.</u>	<u>C.</u>	<u>D.</u>	<u>E.</u>
*Byrd (Va.)	X	X	X	X	X
*George (Ga.)	X	X	X	X	X
*Kerr (Okla.)	#	X	#	#	X
Frear (Del.)	X	X	X	#	X
Long (La.)	X	#	X	X	#
Smathers (Fla.)	X	X	X	X	#
Johnson (Tex.)	X	#	X	X	#
Barkley (Ky.)	X	#	X	X	#
 <u>Republicans</u>					
*Millikin (Col.)	X	X	X	#	X
*Martin (Pa.)	X	X	X	#	X
Williams (Del.)	#	?	X	#	X
Flanders (Vt.)	X	X	X	X	X
Malone (Nev.)	X	X	#	X	#
Carlson (Kan.)	X	X	X	#	#
Bennett (Utah)	X	X	X	#	X

X--Indicates agreement with the majority on roll-call votes.

#--Indicates disagreement with the majority on roll-call votes.

?--Indicates absence without pair on roll-call.

*--Indicates members of the conference committee.

Explanation of Figure 3

- A. Morse amendment to provide that no future trade agreement take effect until expiration of 90 days of continuous session after its transmittal to Congress or if disapproved by either chamber within the 90 day period. Rejected 13-73. (D. 9-33) (R. 4-40). Committee Democrats 1-7. Committee Republicans 1-6.
- B. Douglas amendment to eliminate the following provisions:
1. requiring immediate publication of Tariff Commission findings and recommendations.
 2. providing for use of "escape clause" if imports "contribute materially" to a threat of serious injury to domestic producers.
 3. permitting one segment of an industry to seek protection against injury from imports.
- Rejected 21-67. (D. 21-21) (R. 0-46). Committee Democrats 3-5. Committee Republicans 0-6-1?
- C. Passage of the bill. Passed 75-13. (D. 37-6) (R. 38-7). Committee Democrats 7-1. Committee Republicans 6-1.
- D. Committee amendment by Millikin to cut extension from three to two years. Rejected 7-8. (D. 2-6) (R. 5-2).
- E. Committee amendment by Millikin to strengthen escape clause. Accepted 9-6. (D. 4-4) (R. 5-2).

FIGURE 4

House Ways and Means Committee, 1955

<u>Democrats</u>	<u>A.</u>	<u>B.</u>	<u>C.</u>	<u>D.</u>	<u>E.</u>	<u>F.</u>
*Cooper (Tenn.)	#	X	X	X	X	X
*Dingell (Mich.)	#	X	X	X	X	?
*Mills (Ark.)	#	X	X	X	X	X
Gregory (Ky.)	#	X	X	X	X	X
Forand (R.I.)	X	#	#	#	#	X
Eberharter (Pa.)	?	?	X	X	X	X
King (Cal.)	#	X	X	X	X	X
O'Brien (Ill.)	#	X	X	X	X	X
Keogh (N.Y.)	#	X	X	X	X	X
Harrison (Va.)	#	X	X	X	X	X
Karsten (Mo.)	#	X	X	X	X	X
Herlong (Fla.)	#	X	X	X	X	X
McCarthy (Minn.)	#	X	X	X	X	X
Ikard (Tex.)	#	X	X	X	X	X
 <u>Republicans</u>						
Reed (N.Y.)	#	X	X	#	#	?
*Jenkins (Ohio)	X	#	#	#	#	X
*Simpson (Pa.)	X	#	#	#	#	X
Kean (N.J.)	#	X	X	X	X	X
Mason (Ill.)	X	#	#	#	#	#
Holmes (Wash.)	#	X	X	X	X	X
Byrnes (Wis.)	#	X	X	#	X	X
Sadlak (Conn.)	X	#	#	#	X	X
Baker (Tenn.)	X	#	#	#	X	X
Curtis (Mo.)	X	#	#	#	X	X

X--Indicates agreement with the majority on roll-call vote.

#--Indicates disagreement with the majority on roll-call vote.

?--Indicates absence without pair on roll-call.

*--Indicates members of the conference committee.

Explanation of Figure 4

- A. Smith motion to shut off debate on a closed rule. Provided for two days of debate on the bill with floor amendments prohibited. Rejected 178-207. (D. 116-101) (R. 62-106). Committee Democrats 13-1-1?. Committee Republicans 4-6.
- B. Brown amendment to permit five hours debate and floor amendments. Rejected 191-193. (D. 82-134) (R. 109-59). Committee Democrats 1-13-1?. Committee Republicans 6-4.
- C. Adoption of closed rule. Adopted 193-192. (D. 128-88) (R. 65-104). Committee Democrats, 14-1. Committee Republicans, 4-6.
- D. Reed motion to recommit with instructions to require the President to comply with recommendation of the Tariff Commission except where National Security is involved. Rejected 199-208. (D. 80-140) (R. 119-66). Committee Democrats 1-14. Committee Republicans 8-2.
- E. Final passage of the bill. Passed 295-110. (D. 186-35) (R. 109-75). Committee Democrats 14-1. Committee Republicans 6-4.
- F. Passage of conference report. Accepted 347-54. (D. 197-18) (R. 150-36). Committee Democrats 14-0-1?. Committee Republicans 8-1-1?.

CHAPTER VI

TRADE AGREEMENTS EXTENSION ACT--1958

In 1958 the Trade Agreements Act of 1934, which had last been extended for three years in 1955, came up for further action. The issue of extension, which produced some six months of bitter debate in Congress, found both parties split on a number of key provisions. Protectionists, pointing to the recession of 1957-1958, argued that tariff barriers must be raised in order to stop the mounting toll of unemployment. Advocates of a greater degree of free trade held that such a move would only provoke international retaliation which in turn would further harm the American economy.²⁹

In a special message to Congress on January 30, 1958, President Eisenhower asked for a five-year extension of the trade agreements program "unweakened by amendments of a kind that would impair its effectiveness." Other highlights of the President's program were as follows:

1. Authorization was sought to reduce tariffs over the five-year period by 25 percent, either at 5 percent each year or over a three-year period with no single reduction of over 10 percent.
2. Authorization was sought in cases where tariffs were already

²⁹Congressional Quarterly Almanac-1958 (Washington, D. C., 1958), p. 165.

- low, to cut duties by three percentage points "ad valorem" with no reduction to exceed one percent per year.
3. Authorization was sought to reduce to 50 percent of value the rate of tariff on any item exceeding 50 percent.
 4. Authorization was asked to raise tariffs under "escape clause" procedures to a maximum of 50 percent above the rates in effect on July 1, 1934 (instead of 1945 as in the 1955 law).
 5. Retention of the "peril point" and "escape clause" provisions in this present form was requested.

The request for a five-year extension of the Reciprocal Trade Act was unique since the previous maximum requested by a President and approved by Congress had been three years. The main reason for the five-year request centered around the new European Economic Community (Common Market) which was forming long-term trade agreements which threatened to upset the U. S. export totals.

The House of Representatives bill, as reported by the Ways and Means Committee, gave the President most of what he requested. But in addition it included an amendment which would provide Congress, by a two-thirds vote of both chambers, with the right to override the President if he rejected import curbs as recommended by the Tariff Commission.

The House voted to adopt a modified closed rule which provided to the opponents of the committee bill, in addition to the usual motion to recommit, the right to present as an alternative

a much more restrictive bill which had the backing of Representative Richard Simpson (R-Pa.) of the Ways and Means Committee. Opponents of the bill failed in their two opportunities, the first on the Simpson amendment (147-234) and the second on a motion to recommit the bill (146-268), and the bill as reported by committee passed the House on June 11 by a roll-call vote of 317-98.

When the House bill was sent to the Senate, substantial opposition arose to the reciprocal trade program, and Minority Leader Knowland of California announced that he would support only a three-year extension of the act. When the Finance Committee reported the bill, it provided for a three-year extension of the act and also included the controversial Kerr amendment. This amendment severely restricted the President by forcing him to accept Tariff Commission findings unless he could gain approval for not following the Commission's report by a majority vote of each chamber of Congress.

The Committee bill also included an amendment by Senator Flanders of Vermont which would set up a nine-man commission to study objectives and operations of the reciprocal trade program then in effect.

On the floor of the Senate, the Kerr amendment was defeated by a 63-27 roll-call vote, and later an amendment by Senator Payne, similar to the House amendment which would have given Congress the right to overrule the President, was rejected by a 34-57 vote. This amendment proposed overruling the President by a majority vote instead of the two-thirds vote in the House amendment. The Senate

adopted by voice vote an amendment proposed by Senator Morse (D-Ore.) which provided that in escape clause and peril point proceedings, growers of a commodity or producers of raw materials would be considered as part of an industry under the act's definition of injured parties.³⁰

This Morse amendment, known to the press as the Oregon cherry growers' amendment, was the cause of a bitter debate between Senators Morse and Neuberger, both of Oregon. Neuberger charged that such an amendment would riddle the trade program with political log rolling if agricultural interests such as the Northwest cherry growers were given special consideration. Though it was reported that the administration was strongly opposed to the Morse amendment, the New York Times reported that Senate leaders felt that the Morse amendment and other restrictive Senate amendments could be eliminated in conference.³¹

The bill finally passed the Senate on July 22 by a 72-16 roll-call vote, and the Senate, insisting on a conference, named the chairman of the Finance Committee plus the two ranking majority and minority committee members as its conferees. These Senate conferees were:

Byrd (D-Va.)

Martin (R-Pa.)

Kerr (D-Okla.)

Williams (R-Del.)

Frear (D-Del.)

³⁰Ibid., pp. 170-173.

³¹Allan Drury, New York Times, August 2, 1958, p. 15.

The House agreed to a conference and named the chairman of the Ways and Means Committee plus the two ranking Democrats and the first and third ranking Republicans as its managers. They were:

Mills (D-Ark.)	Reed (R-N.Y.)
Gregory (D-Ky.)	Simpson (R-Pa.)
Forand (D-R.I.)	

It is not difficult to understand why the House Republicans passed over Representative Jenkins of Ohio, the second ranking Republican and also an arch-protectionist, in favor of Representative Simpson. Representative Simpson had been a leader in opposing the reciprocal trade program and had sponsored the floor amendment which would have severely limited the President in making tariff agreements. He was considered to be the leader of protection-minded Republicans in the House.

On August 2, 1958, John D. Morris reported in the New York Times that an unexpected disagreement had deadlocked conference proceedings. Representative Forand, generally a liberal Democrat but from economically depressed Rhode Island, announced that unless the Senate managers would accept the House amendment calling for a Congressional two-thirds veto, then he would vote with Reed and Simpson to limit the bill to three years. Morris further reported that Representative Mills had proposed a package deal whereby the Senate would accept the Forand amendment in exchange for House acceptance of an amendment by Senator Byrd which would force the Tariff Commission

to consider unemployment and the effect on the national economy when examining escape clause provisions.³²

The conference committee finally agreed on a compromise and reported the conference bill on August 6, 1958. The conference report contained the following provisions.

1. The extension was to be for four years. This was a compromise between the House of Representative's five-year bill and the Senate's three-year proposal for extension.
2. The Senate amendment reducing the base date from 1945 back to 1934 was accepted. This had been one of the President's original proposals. House recesses.
3. The President would be allowed to reduce tariff rates by up to 20 percent. This was also a compromise between the 25 percent House proposal and the 15 percent Senate figure.
4. The cuts would be made in up to four stages. This was also a compromise between the five-step House bill and the three-step Senate bill with the same provision applying in both cases, due to the four-year extension which made this compromise inevitable.
5. The House was successful in maintaining that the President could cut tariffs by up to 10 percent per year. The Senate bill had limited cuts to only 5 percent per year. Senate recesses.
6. The Senate was successful in retaining the Ervin amendment

³²John D. Morris, New York Times, August 2, 1958, p. 15.

which broadened the power of the Tariff Commission to make peril point recommendations. House recesses.

7. The Senate recessed from the Morse (cherry growers) amendment which would have made agricultural interests a party to escape clause findings. This amendment was completely unacceptable to the administration.
8. The Senate recessed from the Humphrey amendment which would have required that the Tariff Commission seek alternative employment for workers who were harmed in escape clause cases.
9. The House was successful in retaining the Forand amendment which provided Congress with the right to override the President on escape clause and peril point recommendations of the Tariff Commission if a two-thirds majority in both chambers disapproved of the President's action. This was the first time in the history of the trade agreements act that Congress had provided itself with a way of overruling the President's decision. Senate recesses.
10. The House accepted a Senate amendment which changed the wording of the national security clause so as to spell out the duties of the Director of Defense Mobilization in making recommendations to the President concerning tariff changes which threatened the national security. House recesses.
11. The House agreed to accept the Byrd amendment which provided that the economic welfare of the country be considered

as part of our national security. However, the Senate agreed to add the word "substantial" to the clause which defined unemployment as a factor in evaluating economic welfare. House recesses in substance.

12. The Senate agreed to drop the Flanders amendment calling for a bipartisan commission to review the operation of our reciprocal trade program. Senate recesses.
13. The Senate also agreed to drop an amendment which called for the restriction in certain cases of trade agreements until an adjustment of national production could be made to suit national economic conditions. Senate recesses.³³

The report was signed by all the conference committee Democrats plus Republican Senator Martin. Representative Reed and Representative Simpson announced later on the floor of the House that they had not signed the bill because they were in basic disagreement with its content. Despite their refusal and despite the fact that they urged that the report be rejected, both admittedly found the conference bill "less unacceptable" than the original House bill.

After a brief debate over the ultimate value of the Forand veto provision, the House passed the conference report by a 161-56 standing vote on August 7.

³³U. S. Congress, House, Conference Report, Trade Agreements Extension Act, 85th Cong., 2nd Sess.

On August 10, the Senate took up the report and after an oral explanation by Senator Byrd, Senator Flanders stated a serious objection to the deletion of the bipartisan commission from the Senate version of the bill. Senator Byrd and Senator Martin both spoke concerning the refusal of both the House conferees and the Administration to accept the commission proposal. Both stated that the House had demanded such a wide number of changes in the commission that the basic idea of the amendment would have been lost.³⁴ Despite this Senator Flanders called for a rejection of the conference report. The Senate, however, passed the report on a 72-18 roll-call vote.

Analysis of Conference Results

It would appear then that this bill represented a fairly effective compromise between the House and Senate bills. There is no indication that the conference introduced any new material or deleted any material which was contained in both the House and the Senate bills. It would, however, seem as though the House held an advantage in the conference committee deliberations. In six cases of difference between the two bills, the House obtained its version, in four cases the Senate version was accepted, and in three cases there was a genuine compromise between the two houses.

³⁴U. S. Congressional Record, 85th Cong., 2nd Sess., 1958, Vol. 104, Part 13, p. 16821.

It seems apparent that the proponents of the reciprocal trade program had foreseen a friendly representation in conference and had allowed many of the Senate's restrictive amendments to be eliminated in this conference. The House's concessions to the Senate in most cases came on rather minor points.

It also seems apparent that in every case but one (the Congressional veto amendment) that the House bill had the support of the administration. It would appear likely that this support was decisive in winning the all-important votes of the Senate's Republican delegation, even though Senator Williams refused to sign the conference report. Senator Williams has stated that he disagreed with the length of the extension (four years), feeling that the bill should come up for more frequent review.³⁵

In determining how well the conferees represent the feelings of their respective chamber and their standing committee I have examined the vote of the entire standing committees on certain key roll-call votes (Figures 5 and 6). I have also used the Senate Finance Committee vote on the Kerr amendment to further determine the feelings of Senate conferees.

In the case of the Finance Committee, it is obvious that while Senators Kerr and Frear represented the feelings of the majority of Democrats on the Finance Committee, they did not represent the feelings of the majority of Senate Democrats. Senator Martin and

³⁵Letter to the author by the Hon. John J. Williams, United States Senator from Delaware, Washington, D. C., July 28, 1961.

Senator Williams, however, did seem to represent the majority of their party in both the committee and in the entire Senate.

In regard to House members of the conference, it is apparent that Representatives Mills and Gregory did represent the feelings of their chamber in regard to the overall content of the bill. There is good indication, however, from press reports that Representative Mills and Representative Gregory did not approve of the Congressional veto provision. Representative Gregory was absent from both roll-calls on reciprocal trade so it is not possible to determine his attitude from roll-call results. Mr. Gregory was, however, a firm supporter of liberal reciprocal trade legislation in the past, and he did back the Ways and Means Committee bill of the Democratic majority in committee.

On the Republican side it seems that Representative Reed and Representative Simpson did not represent the feelings of the majority of the Republican party on this bill. While a majority of the Republican members of the Ways and Means Committee did vote against the bill, three Republican members voted with the majority of their party in backing the content of the bill. Their positions on the bill as voted by the House would seem to indicate that Reed and Simpson did not provide representation for the majority of their party in the conference.

FIGURE 5

Senate Finance Committee, 1958

<u>Members</u>	<u>A.</u>	<u>B.</u>	<u>C.</u>
Democrats:			
*Byrd (Va.)	X	X	#
*Kerr (Okla.)	#	#	X
*Frear (Del.)	#	X	X
Long (La.)	#	X	X
Smathers (Fla.)	#	X	X
Anderson (N.M.)	#	X	X
Douglas (Ill.)	X	X	#
Gore (Tenn.)	X	X	#
Republicans:			
*Martin (Pa.)	X	X	X
*Williams (Del.)	X	X	#
Flanders (Vt.)	X	X	#
Malone (Nev.)	#	#	X
Carlson (Kan.)	X	X	#
Bennett (Utah)	X	X	#
Jenner (Ind.)	#	#	X

A. Johnson amendment to delete the Kerr Finance Committee amendment. Passed 63-27. (Democrats 27-18) (Republicans 36-9). Finance Committee Democrats 3-5. Finance Committee Republicans 5-2.

B. Final Senate passage on the bill. Passed 72-16. (Democrats 36-6) (Republicans 36-10). Finance Committee Democrats 7-1. Finance Committee Republicans 5-2.

C. Finance Committee vote on the Kerr amendment which was later defeated on the floor (A.). Agreed to by 8-7 vote. Democrats 5-3. Republicans 3-4. Only Senator Martin changed his vote when this matter came to the floor of the Senate.

Key: X--Indicates agreement with the majority on the vote.
 #--Indicates disagreement with the majority on the vote.
 *--Indicates conference committee members.

FIGURE 6

House Ways and Means Committee, 1958

<u>Members</u>	<u>A.</u>	<u>B.</u>
Democrats:		
*Mills (Ark.)	X	X
*Gregory (Ky.)	?	?
*Forand (R.I.)	X	X
Eberharter (Pa.)	X	X
King (Cal.)	X	X
O'Brien (Ill.)	X	X
Boggs (La.)	X	X
Keogh (N.Y.)	X	X
Harrison (Va.)	X	X
Karsten (Mo.)	X	X
Herlong (Fla.)	X	X
McCarthy (Minn.)	X	X
Ikard (Tex.)	X	X
Machrowicz (Mich.)	X	X
Frazier (Tenn.)		
Republicans:		
*Reed (N.Y.)	#	#
Jenkins (Ohio)	#	#
*Simpson (Pa.)	#	#
Kean (N.J.)	X	X
Mason (Ill.)	#	#
Holmes (Wash.)	X	X
Byrnes (Wis.)	#	#
Sadlak (Conn.)	#	#
Baker (Tenn.)	#	X
Curtis (Mo.)	X	X

A. Reed motion to recommit bill to committee. Defeated 146-268. (Democrats 61-160) (Republicans 85-108). Committee Democrats 0-14-1?. Committee Republicans 7-3.

B. Final House passage. Passed 317-98. (Democrats 184-39) (Republicans 133-59). Committee Democrats 14-0-1?. Committee Republicans 4-6.

Key: X--Indicates agreement with the majority on the vote.
 #--Indicates disagreement with the majority on the vote.
 ?--Indicates absence from the roll-call vote.
 *--Indicates conference committee member.

CHAPTER VII

THE TRADE EXPANSION ACT--1962

One of the most important legislative victories of the Kennedy administration was the passage of the Trade Expansion Act of 1962. This bill provided the first new approach to world trade since the original passage of the Reciprocal Trade Act of 1934. Unlike all preceding bills discussed in this paper, the 1962 act was not an extension of the 1934 law. It was new and completely superseded the 1934 law.

In late 1961 it became apparent that the Kennedy administration had decided to seek a trade bill in 1962. One by one important voices in the administration, Undersecretary of State Ball, Secretary of the Treasury Dillon, Secretary of State Rusk, and Secretary of Commerce Hodges, made important policy addresses on the need for a new United States outlook on world trade. Finally on December 6, 1961, the President outlined the administration's plans to the National Association of Manufacturers in New York. The President left no question of his intention to seek new legislation when he said that the 1934 Trade Agreements Act "must not simply be renewed, it must be replaced."³⁴

³⁴Elizabeth J. Brenner, The Trade Expansion Act of 1962 (Washington, 1962), p. 15.

The formal Administration request was sent to Congress on January 25, 1962, and it was introduced the same day by Representative Wilbur Mills (D.-Ark.), Chairman of the Ways and Means Committee, the committee which would handle the legislation. In his message President Kennedy stressed the growth of the European Common Market, the United States balance of payments deficits, the growth of Communist world trade, and the need for new markets for Japan and the newly independent nations of Asia and Africa. The proposed bill would have granted the President five kinds of trade negotiating authority over a five-year period. They were as follows:

1. A general authority to reduce tariffs by 50 percent in reciprocal negotiations.
2. A special authority to be used in negotiating with the European Common Market, to reduce or eliminate all tariffs on products where the United States and the Common Market together account for 80 percent or more of world trade.
3. A special authority to eliminate tariffs on agricultural products if this would maintain or expand United States exports of agricultural goods.
4. A special authority to reduce or eliminate all duties on tropical agricultural and forestry products produced by friendly underdeveloped nations and not produced in significant quantities in the United States.
5. A special authority to negotiate for the elimination of

tariffs on goods currently dutied at five percent or less.³⁵

In addition to the authority requested above, the bill also proposed many other things. Among the most important of these proposals were the extension of the most favored nation principle, a change in the duties of the Tariff Commission, elimination of the peril point clause, authority to raise tariffs up to 50 percent for extraordinary relief to injured industries and the creation of an Adjustment Assistance Advisory Board.

The House Ways and Means Committee began four and one-half weeks of hearings on the bill on March 12, 1962. Over 245 witnesses appeared to express their opinions on the bill and the Committee's record contained 4,233 pages of testimony. After much deliberation, a new "clean" bill was introduced by Chairman Mills on June 4 and was passed the same day. The bill contained all the basic authorities requested by the President. About this time the Administration's public relations campaign reached its peak, and the President along with former President Eisenhower and former Secretary of State Herter appeared on nationwide television to back passage of the bill.

The House called up the bill on June 27 under a "closed rule" which prevented floor amendments to the bill. Under this closed rule, adopted by an 8-7 vote in the Rules Committee, only one recommittal motion was in order. Representative Noah Mason (R-Ill.), the senior

³⁵Ibid., p. 16.

Republican on the Ways and Means Committee, made it clear that he would exercise his prerogative to move for recommitment with instructions to substitute a bill calling only for a one-year extension of the existing Trade Agreements Act. The second ranking Republican on the committee, Representative John Byrnes (R-Wis.), wished to offer a motion to recommit the bill with instructions to cut the adjustment assistance section of the bill, but the Rules Committee refused by a similar 8-7 vote to allow the motion to be presented to the full House.

Debate and floor action took only two days in the House of Representatives. Most of the debate centered around the Mason motion to recommit, and it was unclear until the final moments before the roll call how Representative Byrnes and Minority Leader Halleck (R-Ind.) would stand on the Mason motion. In the final moments of debate both Byrnes and Halleck supported Mason with reservations, but neither made support of Mason a party issue. As a result the motion failed by a vote of 253-171. Shortly afterward the committee bill was passed by a 298-125 vote (see Figure 7, item C).

The Senate Finance Committee took up the trade bill on July 23 and held four weeks of hearings on the bill. The committee then studied the bill for one month before taking action on a number of amendments on September 14. Many restrictive amendments were offered but all the amendments were rejected by either a vote of 8-7 or 9-7 with Senator Kerr (D-Okla.) leading the Administration forces in fighting restrictions to the bill. The final bill, passed by a

17-0 vote by the committee, did not differ from the House bill on any of the basic authorities requested by the Administration. The major changes in the Finance Committee bill were restoration of "most favored nation" status to Poland and Yugoslavia, the addition of extra discretionary restrictions for the President in cases where low tariffs might damage our national interest, and a requirement that the Federal government pay full costs for the unemployment compensation for workers provided in the bill. The House bill provided that the Federal government pay the difference between state rates and rates set by the bill.

The bill was brought before the Senate on September 18, and Administration leaders were successful in defeating all restrictive amendments offered. The closest vote for proponents of the bill came on an amendment by Senator Prescott Bush (R-Conn.). Senator Bush's amendment would have restored the "peril point" procedure of the existing Trade Agreements Act to the new bill. The amendment was defeated by a 38-40 vote. Other restrictive amendments by Senator Byrd (D-Va.), Senator Dirksen (R-Ill.) and Senator Curtis (R-Neb.) were defeated by more comfortable margins (see Figure 8), and the Senate passed the bill the following day, September 19, by a 78-8 vote.

Upon passage of the Trade Expansion Act by the Senate, Senator Byrd moved that the Senate insist on its amendments and appoint

conferees to meet with members of the House.³⁶ Vice President Johnson named the four ranking Democrats and the first, second and fifth ranking Republicans of the Senate Finance Committee to serve as its conferees.

Byrd (D-Va.)	Williams (R-Del.)
Kerr (D-Okla.)	Carlson (R-Kan.)
Long (D-La.)	Curtis (R-Neb.)
Smathers (D-Fla.)	

On the following day, September 20, 1962, Representative Mills moved that the House agree to conference. The motion was accepted by voice vote.³⁷ Speaker of the House McCormick then named the first, second, fourth and fifth ranking Democrats and the three ranking Republicans on the House Ways and Means Committee to be the House members of the conference committee.

Mills (D-Ark.)	Mason (R-Ill.)
King (D-Cal.)	Byrnes (R-Wis.)
Boggs (D-La.)	Baker (R-Tenn.)
Keogh (D-N.Y.)	

The conference committee met for only one day, September 26, and it resolved all differences between the two houses on the Trade Extension Bill.³⁸ The major results of conference committee action are listed below.

³⁶U. S. Congressional Record, 87th Congress, Second session, Vol. 108, part 15, p. 19876.

³⁷Ibid., p. 20093.

³⁸Baltimore Sun, September 27, 1962, p. 1.

1. The House had provided that one of the purposes of the legislation was "to prevent Communist economic penetration" in the free world. The Senate eliminated this phrase. The amendment is reinserted into Section 102. Senate recesses.
2. The Senate had changed Chapter 2, title 2, of the House bill. The House had provided in this section that the President be authorized to reduce by more than 50 percent duties on certain articles traded with members of the European Economic Community (Common Market). The Senate had amended this to include any member of the "free European trading community," meaning the Common Market members or member of the so-called "Outer Seven," the European Free Trade Association. This would add Great Britain, Norway, Sweden, Denmark, Switzerland, Austria and Portugal to the list of nations included. The House version was restored to the bill. Senate recesses.
3. The Senate modified Section 221 of the bill, dealing with duties of the Tariff Commission, to make clearer what this body should research before reporting its findings to the President. House recesses.
4. Under Section 225-b, the House had required the President, during a four-year period beginning on the date of enactment of the bill, to reserve certain articles from any further reduction of duty. All the articles in the list had been investigated previously by the Tariff Commission and a majority of this body had found either serious injury to

- domestic industry or threat thereof. The Senate had extended the reservation to five years. House recesses.
5. The Senate had added to Section 252-a, a section granting the President the power to take tariff action against countries impairing American commerce, an amendment requiring the President to seek special tariff advantages for United States agricultural products. The conference accepted the Senate amendment in principle with some rewording of the amendment. House recesses in substance.
 6. The Senate had added an amendment sponsored by Senator Bartlett (D-Alaska) which directed the President to call a conference on conservation of international fishing resources. If nations failed to respond to such a conference, the President was instructed to raise tariffs on fish from such countries. The House accepted the amendment with technical change. House recesses.
 7. Section 323-c had made the Federal government responsible for only the amount of trade readjustment allowance not provided by the state involved. A Senate amendment made the Federal government directly responsible for the allowance mentioned above. House recesses.
 8. The Senate provided an amendment which would permit the Tariff Commission "upon its own motion" as well as on the request of the President to submit its recommendations on

the probable economic effect to an industry of duty changes.
House recesses.

9. The Senate had added an amendment to Section 352 of the bill which related to orderly marketing procedures. Under this amendment the President would be permitted to negotiate agreements limiting exports with countries when United States industries were found to be seriously damaged. Under the House bill the President could only react to such situations by raising American tariff rates. House recesses.
10. This was a new amendment written into the bill which did not appear in either the House or Senate bills. The amendment gave the President authority to "increase duties, impose new tariffs not otherwise subject to duty, and to impose quotas when he finds them to be in the national interest."
11. Section 231 of the House bill directed the President to suspend, withdraw, or prevent the application of any trade agreement concessions to products of any country or areas dominated or controlled by Communism. The Senate had struck out "any country dominated or controlled by Communism" and inserted "the Union of Soviet Socialist Republics, Communist China, and any other country or area dominated by the foreign government or foreign organization controlling the world Communist movement." The main intention of the Senate change was to allow the President to extend "most favored

nation" status to Poland and/or Yugoslavia if he saw fit to do so. Senate recesses.³⁹

The conference report was filed on October 2, and both chambers met to consider the report on October 4. In the House Mr. Mills explained the report and commented on the pressures brought to bear on him to accept the Senate's version of item eleven above. He said that he felt that in 1951 Congress "wrote in a complete limitation against most favored nation treatment to Communist nations, and that most favored nation treatment to Poland and Yugoslavia was granted in contravention to this prohibition by Congress."⁴⁰ The House then accepted the report on a 265-91 roll call vote (see item D, Figure 7).

The Senate took up the conference report the same day, and Senator Byrd explained the report to the Senate. He remarked that "the House (conferees) were adamant on insisting on the prohibition of most favored nation treatment for any Communist country. We were told by the chairman (Mr. Mills) that he would refuse to sign the report without this amendment. The Senate could do nothing. It was compelled to recess."⁴¹

³⁹U. S. Congress, House, Trade Expansion Act of 1962, Conference Report, 87th Cong., 2nd sess., 1962, Rept. no. 2518, pp. 5-13.

⁴⁰Brenner, op. cit., pp. 37-38.

⁴¹U. S. Congressional Record, 87th Cong., 2nd sess., Vol. 108, part 16, p. 20098.

During a brief debate, Senator Jacob Javits (R-N.Y.) called the suspension of most favored nation treatment to Yugoslavia and Poland "a very serious blunder."⁴² The Senate, however, accepted the report by a voice vote.

Analysis of Conference Action

A first look at the results of the conference committee action on the Trade Expansion Act of 1962 is very deceiving. One would gather from the data that the Senate gained a definite advantage in the conference actions. Further analysis tempers this impression, however. Of the eleven significant issues discussed by the conference committee, the House conferees receded on seven amendments, the Senate conferees receded on three amendments and one amendment contains what is basically new legislation, not found in either the House or Senate bills.

Two of the three amendments to which the Senate receded were of a substantial nature. In one of these amendments the Senate attempted to broaden the scope of trade concessions to the Common Market to include the so-called "Outer Seven." The House refused to accept this modification, and the final bill reverted to include authority to negotiate only with the Common Market itself on these trade matters.

The other substantial House victory was on the Senate amendment which was intended to grant the President the right to extend

⁴²Brenner, op. cit., p. 38.

again most favored nation treatment to Poland and Yugoslavia. There is no doubt that the Administration wanted this item badly and that it did everything possible to convince the House delegation of its desires. In his report to the Senate, Chairman Byrd made it clear that Representative Mills would not consent to this amendment under any circumstances, no matter what pressure was exerted by the Administration, and there was obviously little chance of passing the bill in the House without Mills' full support as Mills was the unchallenged leader of the House delegation and carried immense prestige within the House.

All of the seven Senate amendments consented to by the conferees were acceptable to the Administration and to Representative Mills. Therefore numbers are very misleading in this conference action.

One amendment reported by the conference was a completely new addition to the legislation and did not appear in either the House or Senate bill. This amendment granted the President a broad power to raise or impose quotas on imports "in the national interest." This is an implicit instance of the conference committee overstepping its parliamentary rights.

This conference presents an interesting study in the importance of individuals. To begin with, the seniority rule was broken twice in the appointment of conferees. Both the House and Senate named seven rather than the standard five conferees to be their representatives, and in each case there can be little doubt that this

was intended to strengthen the hand of the most powerful individuals within the conference. The addition of Representatives Keogh and Baker to the House's representation strengthened the hand of Representative Mills, as both agreed fully with Mills on crucial votes in the House on this bill (see Figure 7). The addition of Senator Smathers, a proadministration Senator on this bill, undoubtedly strengthened the hand of Senator Kerr, the leading Administration spokesman within the conference. Democratic Senator Byrd (Va.) had opposed the Administration on every key vote in the Finance Committee and on the Senate floor (see Figure 8). It seems as though two men dominated the conference decisions in the end; i. e., Representative Mills and Senator Kerr (Okla.). In the final analysis, Representative Mills was the victor, as he carried his position on the Poland, Yugoslavia amendment, the only key difference between the two men.

As has been true in practically every case studied in this paper, the selection of conferees on the basis of seniority tends to produce selections which are quite unrepresentative of the majority will. Referring to the Ways and Means Committee, we find that as usual Representative Mills had his committee majority in line on all crucial votes. Therefore the four Democrats selected were as representative as any could be. The passing over of third ranking Representative O'Brien (Ill.) is unexplained, and the only explanation forthcoming from his office was that he asked to be excused in order to campaign at home for his re-election. It is notable, however, that Representative Keogh, Mr. O'Brien's replace-

ment, was known to be much more amenable to Mr. Mills' leadership, especially on the Poland, Yugoslavia issue than was Mr. O'Brien.

Among Republican members of the House, we find three basic groups; i. e., those opposed to any substantial legislation, those seeking more moderate legislation than that wished by the Administration, and those favoring the Administration approach in principle. The three conferees (Mason, Byrnes and Baker) each represented one of these groups.

Referring to the Senate (Figure 8) we find that three of the four Democrats, Kerr, Long and Smathers, were consistent advocates of the Administration approach in both the Finance Committee and on the Senate floor. Senator Byrd, however, was basically opposed to the legislation. Among the Republicans we find that Senators Williams and Carlson were generally in favor of Republican efforts to limit the scope of the bill. Senator Curtis, who was picked over Senators Bennett (Utah) and Butler (Md.), led Republican opposition to the Administration approach.⁴³ Party lines were surprisingly consistent on roll call votes on this bill in the Senate.

⁴³The general feeling of competent sources in the Senate was that both Bennett and Butler asked to be exempted from conference committee service. Senator Bennett was fighting a close re-election bid in Utah while Senator Butler was retiring and had become quite inactive in the Senate by this time.

FIGURE 7

House Ways and Means Committee--1962

<u>Members</u>	<u>A.</u>	<u>B.</u>	<u>C.</u>	<u>D.</u>
Democrats:				
*Mills (Ark.)	X	X	X	X
*King (Cal.)	X	X	X	X
O'Brien (Ill.)	X	X	X	?
*Boggs (La.)	X	X	X	X
*Keogh (N.Y.)	X	X	X	X
Harrison (Va.)	X	X	X	X
Karsten (Mo.)	X	X	X	X
Herlong (Fla.)	X	X	X	X
Frazier (Tenn.)	X	X	X	?
Green (Pa.)	X	X	X	X
Watts (Ky.)	X	X	X	?
Ullman (Ore.)	X	X	X	X
Burke (Mass.)	X	X	X	X
Thompson (Tex.)	X	X	X	X
Griffiths (Mich.)	X	X	X	X
Republicans:				
*Mason (Ill.)	#	#	#	#
*Byrnes (Wis.)	X	#	X	X
*Baker (Tenn.)	X	X	X	X
Curtis (Mo.)	X	X	X	X
Knox (Mich.)	#	#	#	#
Utt (Cal.)	#	#	#	#
Betts (Ohio)	#	#	#	#
Alger (Tex.)	#	#	#	#
Derounian (N.Y.)	X	#	X	X
Schneebeil (Pa.)	X	#	X	X

Key: X--Indicates agreement with the majority on the vote.
 #--Indicates disagreement with the majority on the vote.
 ?--Indicates absence with no opinion recorded.
 *--Indicates conference committee member.

Explanation of Figure 7

- A. Committee vote on passage of final committee draft. Passed 20-5. Democrats 15-0, Republicans 5-5.
- B. Mason motion to recommit the bill. Rejected 171-253. Democrats 44-210, Republicans 127-43.
- C. Final passage of the bill. Approved 298-125. Democrats 218-35, Republicans 80-90.
- D. Passage of Conference Report. Passed 256-91. Democrats 178-34, Republicans 78-57.

FIGURE 3

Finance Committee, U. S. Senate--1962

<u>Members</u>	<u>A.</u>	<u>B.</u>	<u>C.</u>	<u>D.</u>	<u>E.</u>	<u>F.</u>
Democrats:						
*Byrd (Va.)	#	#	#	#	#	X
*Kerr (Okla.)	X	X	X	X	X	X
*Long (La.)	X	X	X	X	X	X
*Smathers (Fla.)	X	X	X	X	X	X
Anderson (N.M.)	X	X	X	X	X	X
Douglas (Ill.)	X	X	X	X	X	X
Gore (Tenn.)	?	X	?	X	X	X
Talmadge (Ga.)	#	#	X	X	#	X
McCarthy (Minn.)	X	X	X	X	X	X
Hartke (Ind.)	X	X	X	X	X	X
Fulbright (Ark.)	X	?	?	?	?	?
Republicans:						
*Williams (Del.)	#	#	#	#	#	X
*Carlson (Kan.)	#	#	#	X	#	X
Bennett (Utah)	#	#	#	#	#	#
Butler (Md.)	#	?	?	#	#	X
*Curtis (Neb.)	#	#	#	#	#	#
Morton (Ky.)	?	?	?	?	?	X

Key: X--Indicates agreement with the majority on the vote.
 #--Indicates disagreement with the majority on the vote.
 ?--Indicates absence with no public declaration.
 *--Indicates conference committee member.

Explanation of Figure 8

- A. Byrd committee motion to eliminate the trade adjustment sections of the bill. Rejected 7-8. Democrats 2-8, Republicans 5-0.
- B. Bush amendment to restore the "peril point" procedures to the act. Rejected 38-40. Democrats 13-40, Republicans 25-0.
- C. Curtis amendment to eliminate trade adjustment provisions giving aid to firms and workers adversely affected by adjustments. Rejected 23-58. Democrats 5-50, Republicans 18-8.
- D. Byrd amendment to widen the escape clause provisions of the bill. Rejected 34-45. Democrats 12-41, Republicans 22-4.
- E. Dirksen amendment to cut the scope of the act from five to three years. Rejected 28-56. Democrats 5-51, Republicans 23-5.
- F. Final Passage. Accepted 78-8. Democrats 56-1, Republicans 22-7.

CHAPTER VIII

CONCLUSIONS

The purpose of the five preceding case studies has been to note patterns of regularity in regard to five pertinent questions on conference committees. First of all, I have attempted to ascertain the role of the conference committee in the legislative system. Secondly, I have looked at the question of interchamber competition in the conference committee between the delegations of the House of Representatives and the Senate.

The third area of investigation has involved individual conferees. Who have been the dominant individuals in each respective conference? Another area of concern is the representation function of the conference committee. Have the conferees collectively and individually "represented" the feelings of their chambers as expressed in roll call voting. Finally, I have looked at the question of the role of the President in conference committee deliberation. Has the President attempted to influence conference committee deliberations? If so, what has been the extent of his influence?

A. The Role of the Conference Committee

The conference committee as defined in the rules of both the House of Representatives and the Senate is a compromise-making body.

In other words, this group is expected to find a consensus of opinion somewhere between the House and Senate versions of a bill that will be acceptable to both chambers. The committee is not expected to legislate or to write new legislation and, in fact, is prohibited from doing so in the rules of both chambers.

Of the five bills studied, there are two instances of the conference committee in fact writing new language into the bill under consideration. The first instance was in the 1951 act in which the conferees went beyond the intent of the original floor amendment of Senator Joseph McCarthy (R-Wis.) and added a clause which prohibited the importation of furs from the Communist bloc. There was nothing in either the House or the Senate bill which justified this change of intent.

The second instance of the conferees legislating directly took place in the 1962 act. Here the committee took it upon itself to grant the President a broad power to increase tariffs "in the national interest." Similar amendments had been defeated in the Senate, and nothing comparable can be found in the House bill.

With the exception of these two notable examples, the conference committees studied here appear to have played their role as ascribed by the formal rules of the Congress, namely the role of consensus-making. This role, which is so definitely limited in the formal rules, however, did not serve to prevent the extension of authority when the conferees found a desire and a need for such an extension.

B. House Versus Senate in Conference

Another question which arises in studying conference committees concerns the relative strength in conference of House and Senate conferees. There have been a variety of opinions as to which chamber holds the upper hand in the conference.

Roland Young has found that "the Senators are better bargainers than the Representatives."⁴⁴ Bertram Gross is in basic agreement with Young in the book The Legislative Struggle maintaining that "everything else being equal, the Senators are in a better bargaining position. . . ."⁴⁵ On the other side of the question Gilbert Steiner has found that in a variety of cases which he has examined that the House has been the more influential chamber in the conference by a two-to-one margin.⁴⁶

In the five cases examined here, we have seen the gradual diminution of Senate control of conference committee action on trade legislation, and the gradual assumption of this leadership by the House conferees of the Ways and Means Committee. It is important to note that after Congressman Wilbur Mills (D-Ark.) assumed the Chairmanship of the House Ways and Means Committee that the House scored impressively in the conference committee action of 1958 and 1962.

⁴⁴Roland Young, This Is Congress (New York, 1946), p. 133.

⁴⁵Gross, op. cit., p. 324.

⁴⁶Steiner, op. cit., Chapter 12.

After examining the 1951, 1953 and 1955 acts, one would be inclined to agree with Young in his contention that Senators are in a better bargaining position. In the 1951 and 1955 bills, the Senate conferees achieved definite advantages for their chamber. In the much less controversial bill of 1953, the Senate still held the edge in conference results. There is reason to believe that the Senate conferees often have a more definite mandate from their chamber as Senators can vote on all amendments presented by their colleagues while "closed rules" in the House prevent votes by the entire House of Representatives on the controversial items within a specific bill.

A powerful individual who has achieved the prestige of Mr. Mills can easily counteract the supposed strategic advantage of the Senate, however. There is reason to believe that Senator Byrd has lost touch with his committee over the years and that one result of this, at least with respect to recent trade legislation, has been an intensified struggle for power in the Finance Committee. At the same time it appears that Mr. Mills has maintained firm control over the Ways and Means Committee, at least in the field of reciprocal trade. This seems to strongly support the theory that Mr. Mills' dominance of this conference group was mainly responsible for the substantial House victories of 1958 and 1962.

C. Individual Conferees

Due to the number of personalities involved and the secret nature of conference action, it is quite difficult to evaluate the

importance of individual members of conference committees. It should be said, however, that every indication is that individuals can and do play a major role in determining final conference results.

An example of this can be seen if one accepts the reliability of the inside sources of John Morris of the New York Times concerning the 1958 act. It was apparent when conference action began that Senate conferees wanted to discard the Congressional veto amendment which had been inserted in the House bill. Similar amendments had been decisively defeated in the Senate, and Chairman Byrd and the Republican minority had voted against any such Congressional veto of Presidential decisions.

Yet Representative Forand (D-R.I.) was able to unite with the two Republican ultra-protectionists (Reed and Simpson) in forcing Senate acceptance of their amendment, which Forand had sponsored in the Ways and Means Committee. It is apparent that both Representative Mills and Representative Gregory were more than willing to exclude this House amendment, and it is also apparent that the Administration was not overly happy with the amendment. Yet Forand was able to upset what seems to have been the opinion of the majority of the Democrats in the House and was able to see that the Congressional veto was kept in the bill by threatening to join with these same two Republicans on other issues crucial to the content of the bill. The maneuver to kill undesirable amendments by conference action rather than by floor action had proved quite unsuccessful.

Referring to Figures 9 and 10, one notes that certain individuals have had a long-standing position in conference committee deliberations on reciprocal trade legislation. In Figure 9 we note that six Representatives have been members of at least three of the five conferences in point. These six include three Democrats: Cooper, Dingell and Mills; and three Republicans: Reed, Jenkins and Simpson. The 1962 House conferees included six new conferees on trade legislation. This may well account in part for the power of the veteran Representative Mills, who appeared on four of the five conference committees in question and whose fellow conferees were practically without experience in conference committee procedure on reciprocal trade legislation. It should also be noted that Mr. Mills had become known as "the expert" on taxing legislation in the House of Representatives by this time.

Figure 10 shows a greater spread in the representation of Senate conferees, with only four men (Byrd, Kerr, Millikin and Martin) having actively participated in three or more conferences on reciprocal trade legislation. Unlike the steady increase of influence in the case of Mr. Mills, we see that by 1962, Chairman Byrd had lost most of his influence in conference and had turned Finance committee leadership over to the powerful Senator Robert Kerr (D-Okla.). It is also interesting to note the changes in attitudes of Senators Byrd and Kerr over the years, the former tending toward a much more conservative position on reciprocal trade while the latter changed from a more conservative to a more liberal position

on the same type of legislation. This seems to be rather atypical of the average conference committee member, as the average conferee is high in seniority and is usually felt to have developed a highly polarized position on long-standing issues such as reciprocal trade legislation.

D. Conference Representation

For many years many people have been displeased with many of the decisions which conference committees have made. In Chapter I, I took note of the Clark resolution of 1958 which would have required a majority of Senate conferees to be in basic agreement with the Senate version of a bill which they would take to conference.

It is apparent here that in many instances, through examining records or through examining conference results, that conferees were not in accord with a majority of their chamber or with a majority of their party in that chamber.

In 1951 it was evident that House conferees did not represent the majority wishes of their chamber in the final conference results. Due to an absence of roll calls it is difficult to pin the responsibility on any one conferee, but it is apparent that the Democratic conferees did not represent the majority opinion of House Democrats in the final analysis.

In 1955 it is quite apparent from examining Figure 3 that Senator Kerr was not at all in agreement with the majority of all Senators or with a majority of Democrats on reciprocal trade, for he

was one of only six Democrats who voted against final passage of the 1955 act. Likewise an examination of Figure 4 shows that Republican Representatives Jenkins and Simpson represented the minority view among Republican members of the House.

Likewise in 1958 Democratic Senators Kerr and Frear did not agree with the majority in their house or their party. Also Republican Representatives Reed and Simpson did not represent the majority views of either all representatives or of Republican representatives. The same holds true in 1962 for Senator Byrd.

The two outstanding examples, then, of misrepresentation are the House Republicans and the Senate Democrats. In 1953, 1955, and 1958 House conferees were somewhat out of line with the feelings of the majority of House Republicans in regard to reciprocal trade. In 1955 and 1958 Senator Kerr, in 1958 Senator Frear, and in 1962 Senator Byrd were in complete disagreement with the majority of Senate Democrats, which threatened seriously the chances of carrying out the will of the majority. Evidently in 1951 at least one House Democrat was guilty of misrepresenting the feelings of the House though it is impossible to say which one from available information. It would, therefore, seem that it is entirely justifiable for Senator Clark to question the make-up of Senate conference committees.

A question can be raised here as to what "misrepresentation" in conference committee really is. It can be asked if conference committees must not, in fact, misrepresent one house or the other at all times. To a great extent this criticism is a valid one.

Conference committees are not expected by their chamber or by the public to reach a solution which is exactly half way between both the House and Senate bills.

The question here is actually one of degree and of purpose. The following questions would seem to be applicable here.

1. Should the majority of conferees of each chamber be advocates of the majority position within the chamber?
2. Should final conference results be expected, at least in most cases, to reflect a compromise solution somewhere between the version which each house has passed? If not, a conference committee is not needed, for either house can accept the version of the other chamber if it is willing to accede to the changes made in a bill by the other chamber.

It would seem reasonable to assume that any solution to the present dilemma involving conference committees will have to consider these two points if the conference committee is to be made responsible for representing the views of a majority of the members of each respective chamber.

E. Presidential-Legislative Relations in Conference

As we have seen, there have been three distinct types of executive-legislative party relationships in the five cases studied here. In 1951 and 1962 the Democrats controlled both the Congress and the Presidency, in 1953 the Republicans controlled both branches

of government, and in 1955 and 1958 there was a Democratic Congress with a Republican President.

Yet final action on reciprocal trade legislation would seem to indicate that party control of government is not always as simple as having a majority in the two houses of Congress and control of the presidency. In 1951 Congress overrode the wishes of President Truman and passed trade restrictions which he opposed. Yet in 1955 when President Eisenhower intervened in conference action to approve the Senate version of the extension act, his wishes were honored despite the fact that the Democrats controlled Congress.

In the three other cases studied here, the Presidential role in conference decisions was negligible. In 1953 President Eisenhower took no public stand on the issue of the bi-partisan trade commission, though it was rumored that administration pressures eventually forced the House Republicans to capitulate in order to avoid killing the bill in conference. In 1958 the wishes of President Eisenhower were very uncertain, and it was doubtful that his influence played much of a part in conference results. In 1962 the primary wish of President Kennedy, namely most-favored-nation preference for Poland and Yugoslavia, was stricken in conference. From these examples it does not appear that straight party control was a major factor in determining these conference results, but that Presidential relations with influential conferees was a major factor in these results.

F. The Conference Committee System in Retrospect

It is apparent from this study that the role of the conference committee in the legislative system can be both an important role and a controversial one. One of the primary findings of this study, however, is the difficulty of researching the area of conference committees. Researchers in the future will undoubtedly present new insights into this unexplored area of the legislative process, but their work will be hampered by the secrecy of conference proceedings, and their obstacles in discovering the truth will be many in number.

FIGURE 9

House Managers: Conference Committees: Trade Agreements Extension Acts, 1951, 1953, 1955, 1958; Trade Expansion Act, 1962

<u>Democrats</u>	<u>1951</u>	<u>1953</u>	<u>1955</u>	<u>1958</u>	<u>1962</u>
Doughton (N.C.)	1				
Cooper (Tenn.)	2	1	1		
Dingell (Mich.)	3	2	2		
Mills (Ark.)	4	-	3	1	1
Gregory (Ky.)				2	
Forand (R.I.)				(3)	
King (Cal.)					2
Boggs (La.)					3
Keogh (N.Y.)					4
<u>Republicans</u>					
Reed (N.Y.)	(1)	(1)	-	(1)	
Jenkins (Ohio)	(3)	(2)	(2)	-	
Simpson (Pa.)	(4)	(3)	(3)	(3)	
Mason (Ill.)					(1)
Byrnes (Wis.)					2
Baker (Tenn.)					3

Numbers indicate rank on Ways and Means Committee during years served as a conferee on reciprocal trade. Hyphen (-) indicates that the man was a member of the Committee during a particular year but did not serve as a manager for some reason, despite his seniority on the Committee.

Plain numbers indicate that conferee was generally favorable to the reciprocal trade legislation under consideration.

Numbers in parentheses indicate that the conferee was generally unfavorable to reciprocal trade legislation under consideration.

FIGURE 10

Senate Managers: Conference Committees: Trade Agreements Extension Acts, 1951, 1953, 1955, 1958; Trade Expansion Act, 1962

<u>Democrats</u>	<u>1951</u>	<u>1953</u>	<u>1955</u>	<u>1958</u>	<u>1962</u>
George (Ga.)	1	1	2 ^a		
Connally (Tex.)	2				
Byrd (Va.)	3	2	1	1	(1)
Kerr (Okla.)			(3)	(2)	2
Frear (Del.)				(3)	
Long (La.)					3
Smathers (Fla.)					4 ^a
<u>Republicans</u>					
Millikin (Col.)	(1)*	1	(1)*		
Taft (Ohio)	(2)				
Butler (Neb.)		2			
Martin (Pa.)		3	(2)*	1	
Williams (Del.)				2	(1)*
Carlson (Kan.)					(2)* ^b
Curtis (Neb.)					(5)

*Indicates a Senator who supported the idea of reciprocal trade, but wished to have a number of restrictions added to the law then under consideration.

Numbers indicate rank on the Finance Committee during years served as a conferee on reciprocal trade legislation.

Plain numbers indicate that the conferee was generally favorable to the reciprocal trade legislation under consideration.

Numbers in parentheses indicate that the conferee was generally unfavorable to the reciprocal trade legislation then under consideration.

^aProxy in conference to Senator Harry F. Byrd (George, 1955; Smathers, 1962).

^bProxy in conference to Senator John Williams (Carlson, 1962).

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All roll call votes and committee vote information comes from either the Congressional Quarterly, the Congressional Quarterly Almanac (appropriate years), or the U. S. Congressional Record. Much of the mechanical information on conferees is from the final House Calenders of 1951, 1953, 1955, 1958, 1962.

John W. Foster
Wendell Phillips
Lorent B. ...

