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Departmental Comment

Congressional Affairs

The First Session of the 93rd Congress—Activities Relating to International Law and Foreign Relations.

At the opening of the 93rd Congress, the Majority leader of the Senate, Senator Mike Mansfield, delivered a State of the Senate speech to the Democratic Conference outlining Senate objectives for the session. Among the twenty objectives endorsed by the Conference were the reassertion of the constitutional role of the Congress, especially in matters affecting foreign relations, ending the "ill starred, misbegotten" war in Indo-China, reducing defense spending, and closing overseas bases.

At the close of the first session Senator Mansfield reported to the Senate "a year of achievement."¹ Pointing out that at the opening of the session some people who focused on the overwhelming victory of the President at the polls overlooked the result of the Congressional elections. "It was not an uncommon view in this city at the time," he said, "that Congress had all but ceased to have relevance in the Government. . . . It is easy to find fault with the Congress. . . . The fact is, however, that the Congress has been the anchor of the people's freedoms . . . at a time when the executive branch has been seized in a whirlwind of resignations, disclosures, denials, dismissals and indictments." The Majority Leader emphasized the role of the Congress in ending military involvement in Vietnam: "Would it have ended at all had not the Congress acted on June 30 to cut off the funding of U.S. military activity in Southeast Asia?"

The House of Representatives passed thirteen measures reported by the Committee on Foreign Affairs which were enacted into law.² Of those, four were of major importance.

The Senate passed some twenty-nine measures affecting foreign relations which were enacted into law. These included not only those considered and reported by the Foreign Relations Committee but also by other committees. Additionally, the Senate gave its advice and consent to the ratification of twenty-two treaties.³

¹Congressional Record, December 22, 1973, S. 23913.

²Survey of Activities, Committee on Foreign Affairs, House of Representatives, Ninety-third Congress, First Session. (Committee Print.)

³Congressional Record, December 22, 1973, S. 23924 et seq.

The War Powers Act

The 93rd Congress will long be remembered for its enactment, over a Presidential veto, of the first legislative codification of the distribution of the war power between the executive and the legislative branches.

Even before the inauguration of President Nixon, on January 20, a bipartisan group of 58 senators introduced a bill to limit the power of the President to wage an undeclared war. (S. 440) On the same day, January 18, Senator Clifford P. Case (R., N.J.) introduced two bills to cut off funds for the Azores base until the agreement with Portugal should be submitted to the Senate as a treaty. (S. 446)

On the fourth anniversary of the beginning of the Paris peace talks, January 18, it appeared once again that the end of the Vietnam conflict was in sight, but the cease fire was not announced by the President until January 23. "After eleven years of fighting, false hopes and frustrations," said Senator Mansfield, "the journey out of the seemingly endless tunnel was over." But Representative Paul McCloskey, Jr. (R., Cal.) thought, "It isn't over until Congress passes a clear law that prevents the President from renewing the combat." Senators Clifford P. Case (R., N.J.) and Frank Church (D., Idaho) introduced a bill directing "that no funds heretofore or hereafter appropriated may be expended to finance re-involvement of United States military forces in hostilities in or over or from off the shores of North or South Vietnam or Cambodia without prior specific approval by Congress." (S. 578) On January 31, Representative Jonathan B. Bingham (D., N.Y.) and 37 others introduced a similar bill in the House (H.R. 3350).

The termination of hostilities did not change the views of the Congress on the necessity of limiting the President's powers. In hearings before the Subcommittee on National Security Policy and Scientific Development of the House Foreign Affairs Committee, March 7, 8, Senator Thomas F. Eagleton (D., Mo.) emphasized the necessity of learning from Vietnam. Representative Spark M. Matsunaga (D., Hawaii) said, "If we have learned but one lesson from the tragedy of Vietnam, I believe it is that we need definite, unmistakable procedures to prevent future undeclared wars."

The growing sentiment against the President's pre-emption of the war power was exacerbated by the revelation of the incursion into and secret bombing of Cambodia. Senator William J. Fulbright (D., Ark.), inserted in the Congressional Record for March 27 a series of questions on the Cambodian bombing calling upon the Administration to justify its action. "By some wild stretch of the imagination" asked the Senator, "has the Administration projected SEATO as a legal basis for our military presence?" On April 3, Senators Thomas F. Eagleton (D., Mo.) and Edward F. Kennedy (D., Mass.) in speeches on the floor protested that the President was usurping the war powers of Congress.

The Subcommittee on U.S. Security Agreements and Commitments Abroad of the Senate Foreign Relations Committee sent a staff team to Cambodia where it spent almost a month. On April 27, Senator Stuart Symington (D., Mo.), Chairman of the Subcommittee, released the staff report which concluded: "It was clear that the United States had become far more deeply and directly involved than ever before in the conduct of the war in Cambodia as well as in Cambodia's internal affairs." In a press release Senator Symington said that the report confirmed that the struggle in Cambodia is "essentially a civil war between opposing Cambodian groups."

On April 12, the Senate Foreign Relations Committee concluded two days of hearings on S. 440. The House Subcommittee, chaired by Representative Clement J. Zabloski (D., Wis.), held six days of hearings resulting in the introduction of a revised measure (H.J. Res. 542). This was reported to the full Committee and to the House where it was passed on July 18. Two days later the Senate passed the resolution substituting the language of S. 440, which passed the Senate the same day. There ensued a lengthy House-Senate conference in order to reconcile the differences between the two versions. Finally, on October 4, the conferees agreed and filed their report. Following Senate passage on October 10, the House approved the conference report on October 12.

The President vetoed the measure on October 24 terming it unconstitutional and unwise. On November 7, both bodies successfully overrode the veto, the House by 284—135 and the Senate by 75 to 18, and thus enacted H.J. Res. 542 into law.

The purpose of the legislation, as stated in its "purpose and policy" section is: "To fulfill the intent of the framers of the Constitution that the collective judgment of both the Congress and the President will apply to the introduction of United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostilities, or in such situations."

The Act requires the President to consult with Congress before introducing U.S. Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated; in the absence of a declaration of war, requires the President to submit within 48 hours to the Congress a report setting forth the circumstances necessitating the introduction of forces, the constitutional and legislative authority for such action, and the estimated scope and duration of the hostilities or involvement, such report to be made at least every six months; requires the President to terminate the use of the Armed Forces within 60 days after submission of the report to Congress unless the Congress (1) has declared war or has specifically authorized such use of the Armed Forces, (2) has extended by law the 60 day period, or (3) is physically unable to meet as a result of an armed attack; provides that the 60 day period may be extended for 30 days if the President determines and certifies in writing

to Congress the need for the use of the forces in bringing about a prompt removal of the forces; provides that authority to introduce Armed Forces into hostilities or situations where involvement in hostilities is indicated shall not be inferred from any provision of law, including appropriations measures or treaties, unless such authority is specifically authorized. (P.L. 93-148)

Foreign Aid

Foreign Assistance Act of 1973

The agreement ending hostilities in Vietnam implied that the United States would assist financially in rebuilding North and South Vietnam. The agreement was no sooner signed than opposition developed in both the House and Senate. Returning prisoners of war told of torture and inhumane treatment by the Vietcong and North Vietnamese. Representative Julia Butler Hansen (D., Wa.) probably reflected the sentiment of the House saying "I am not cutting money for a dental program for Indians just to give Mr. Thieu some more money to waste," and Congressman Wayne L. Hays (D., Ohio) remarked: "Hell would be a skating rink before I voted any of my taxpayers' dollars to give any aid to that murderous bunch in Hanoi."

The Deputy Secretary of State appeared before the Foreign Relations Committee of the Senate on May 2 in support of a \$2.9 billion foreign aid bill which the President had sent to the Congress (S. 1443). Committee Chairman Fulbright asked, "Why are we still pursuing national objectives formed by policies that have origin in the time of Stalin and the cold war?" "Why," asked Senator Symington, "are we spending all this money in Cambodia when my own home state of Missouri needs it to prevent tragedies like they have now with these floods? I'm going to do my best to see that you don't get it."

The Senate's earlier opposition to foreign aid had spread to the House. The House bill (H.R. 9360) barely squeaked through on a 188—183 roll call vote on July 28. As reported by the Foreign Affairs Committee, the bill repealed the "Hickenlooper Amendment" that required a cut off of aid to countries expropriating American property. Congressman Henry B. Gonzalez (D., Tex.) offered an amendment restoring "Hickenlooper" in even stronger terms:

(x) No assistance shall be furnished under this or any other Act to any country which has—

(1) nationalized or expropriated or seized ownership or control of property owned by any United States citizen or by any corporation, partnership, or association not less than 50 per centum of which is beneficially owned by United States citizens;

(2) taken steps to repudiate or nullify existing contracts or agreements with any United States citizen or any corporation, partnership, or association not less than 50 per centum of which is beneficially owned by United States citizens; or

(3) imposed or enforced discriminatory taxes or other exactions, or restrictive maintenance or operational conditions, or has taken other actions, which have the effect of nationalizing, expropriating, or otherwise seizing ownership or control of property so owned;

unless the President determines that (A) an arrangement for prompt, adequate, and effective compensation has been made, (B) the parties have submitted the dispute to arbitration under the rules of the Convention for the Settlement of Investment Disputes, or (C) good faith negotiations are in progress aimed at providing prompt, adequate, and effective compensation under the applicable principles of international law.

The amendment was adopted by a recorded vote 278 to 102. However, in conference, Mr. Gonzalez' amendment was dropped, and there was substituted a provision which he termed "totally different and wholly inadequate." When the conference report came to the floor of the House, Mr. Gonzalez explained that he would vote "present" rather than "aye" because the conference had stricken his amendment. He announced "that when we next consider foreign assistance we will see a sound expropriation policy enacted. I intend to work toward that end."

The bill authorizes \$2,392,234,000 for foreign economic and military assistance for fiscal year 1974, adds five new categories for development assistance, and requires that 25 percent of the costs of a project or program be borne by the recipient country. As for "Hickenlooper," the bill modifies Section 620 (e) (1) of the Foreign Assistance Act of 1961 by permitting the President to waive upon notification to the Congress its sanctions when he determines that such a waiver is important to the national interests. The President signed the bill into law as P.L. 93-189 on December 17.

Emergency Security Assistance Act of 1973

Aid to Israel

Immediately after the outbreak of hostilities in the Middle East on October 6, 1973, the United States sought to bring about a ceasefire and reach an understanding with the Soviet Union for a mutual freeze on resupply of major weapons in that area. When these efforts failed, and in the face of massive Soviet resupply of Arab forces, it became clear that the United States would have to send arms to Israel to replace combat losses and maintain a balance of forces in the Middle East.

The President sent to the Congress a message dated October 19, 1973, requesting authorization of \$2.2 billion in emergency security assistance for Israel. The President said, "This request is necessary to permit the United States to follow a responsible course of action in two areas where stability is vital if we are to build a global structure of peace." Under his proposal, the President would determine how much of the emergency assistance for Israel would be in grant military assistance and how much in foreign military sales credits.

The proposed legislation was introduced on October 24 as H.R. 11088 by the chairman of the Committee on Foreign Affairs, Thomas E. Morgan (D., Penn.). The committee was briefed twice by the Secretary of State about Middle East

developments, held two other days of hearings, and spent two sessions marking up the bill. That version subsequently was passed by the House and Senate without further alteration, and was sent to the President who signed it into law on December 26. (P.L. 93-199, approved December 17, 1973)

Other Legislation

The United Nations Environment Program Participation Act of 1973

H.R. 6768, S. 1155 and S. 6768 provide for the authorization of \$40 million necessary for U.S. participation in the United Nations environment program including authorization to contribute funds to the United Nations Environment Fund. (P.L. 93 - 188, approved December 15, 1973)

Extending Diplomatic Privileges and Immunities to the Liaison Office of the Peoples Republic of China

S.1315 authorizes the President to extend to the Liaison Office of the Peoples Republic of China in Washington and to its members the same privileges and immunities subject to the corresponding conditions and obligations as are enjoyed by diplomatic missions accredited to the United States and by their members. (P.L. 93-22, approved April 20, 1973)

Organization of American States [OAS]

H.R. 5943 re-enacts the 1952 Organization of American States Act to authorize the President to extend diplomatic privileges and immunities to a newly established group, the Permanent Observers to the OAS, which consists of non-member American States and non-American States participating in OAS programs. (P.L. 93-149, approved November 7, 1973)

Organization of African Unity [OAU]

S. 1526 and H.R. 8219 amend the International Organizations Immunities Act of 1945 making its provisions applicable to the OAU in the same way as they may be extended to public international organizations in which the United States participates. (P.L. 93-161, approved November 27, 1973)

Interest Equalization Tax Extension

H.R. 3577 extends the application of the interest equalization tax for 15 months, to June 30, 1974; provides, with certain exceptions, that the interest equalization tax exclusion for stock or debt obligations issued by a less-developed country corporation shall not apply to stock or debt obligations issued by a less-developed country shipping corporation after January 29, 1973; provides for an exclusion from the interest equalization tax for: original or new

issues of stock or debt obligations; stock acquired by conversion of a debt obligation if no additional consideration is paid and the debt obligation itself qualifies for the exclusion; or for a debt obligation issued to refund or refinance an original or new issue which qualified for the exclusion, to finance direct investment in the United States except for the acquisition and exploitation of natural resources, subject to the foreign issuer or obligor agreeing to meet certain conditions with respect to that investment for a period of ten years; provides that a qualified lending or financing corporation, or a U.S. corporation engaged in a lending or financing business through offices located outside the United States, may use domestic source funds to lend for qualified export credit transactions or to buy goods made in the United States for leasing or sale outside of the United States; requires the Secretary of the Treasury to study the effect on international monetary stability of the Canadian exemption from the interest equalization tax and make a report to the Congress not later than September 30, 1973. (P.L. 93-17, approved April 10, 1973)

Par Value Modification

H.R. 6912 directs the Secretary of the Treasury to take the necessary steps to establish a new par value of the dollar of \$1 equals 0.828948 Special Drawing Right (SDR) or the equivalent in terms of gold thus devaluing the U.S. dollar by 10 percent and changing the official price of gold from \$38 to \$42.22 per ounce; states that it is the sense of Congress that the President shall take all appropriate action to expedite realization of the international monetary reform noted at the Smithsonian on December 18, 1971; legalizes private ownership of gold as of the date the President reports to Congress that elimination of regulation on private ownership will not adversely affect the international monetary position of the United States; directs the Secretary of the Treasury to require multinational corporations to submit reports of foreign currency transactions. (P.L. 93-110, approved September 21, 1973.)

In addition to the legislation which passed both Houses, the Senate gave its approval to the following twenty-two international agreements:

Treaties

AGREEMENT WITH CANADA FOR THE PROMOTION OF SAFETY ON THE GREAT LAKES

*Ex. J. 93d-1st—Resolution of Ratification
agreed to October 1, 1973.*

Terminates and replaces a similar agreement between the United States and Canada providing for safety on the Great Lakes; requires that, effective January 1, 1975, all vessels covered by the agreement must have very high frequency

radiotelephonic equipment operating in a certain band; designates a uniform distress, safety and calling frequency; and updates the technical regulations to conform with modern radio practices and capabilities.

AMENDMENT TO ARTICLE 61 OF THE CHARTER
OF THE UNITED NATIONS

*Ex. L, 93d-1st—Resolution of Ratification
agreed to September 5, 1973.*

Amends article 61 of the United Nations Charter relating to the composition of the Economic and Social Council (ECOSOC) and the election to membership thereon by the General Assembly which would increase the size of the council from 27 to 54 members and provide for an interim procedure to achieve this new size. The primary function of ECOSOC, whose powers are recommendatory and advisory, is to promote economic and social progress, cultural cooperation and universal respect for human rights, and to coordinate the activities of the various U.N. specialized agencies and the International Atomic Energy Agency.

CONSULAR CONVENTION WITH HUNGARY

*Ex. W, 92-2d—Resolution of Ratification
agreed to March 27, 1973.*

Establishes consular relations between the United States and the People's Republic of Hungary which will afford American citizens in Hungary a greater degree of consular protection and guarantee quick and unhindered communication between a citizen and his consul and prompt notification to the consul of any detention or other limitation, and provides for the establishment of consulates and the exchange of consular appointments according each country the facilities, privileges, and immunities afforded under similar bilateral consular conventions in force with a number of other countries.

CONSULAR CONVENTION WITH POLAND

*Ex. U, 92d-2d—Resolution of Ratification
agreed to March 27, 1973.*

Establishes consular relations between the United States and the Polish People's Republic; guarantees early notification of detention of a country's nationals and access thereto; describes consular functions and responsibilities in such fields as the issuance of visas and passports and the performance of notarial services; provides for the inviolability of consular personnel with regard to legal proceedings in the host country; and contains other provisions afforded under similar bilateral consular conventions in force with a number of other countries.

CONSULAR CONVENTION WITH ROMANIA

*Ex. V, 92d-2d—Resolution of Ratification
agreed to March 27, 1973.*

Replaces the convention currently in existence between the United States and the Socialist Republic of Romania; improves consular services in both countries to include the issuance of passports and visas, performance of notarial services, and representation of the interests of nationals in estate matters; assures that consuls whose nationals are detained or whose personal freedom is limited will be notified promptly and will have the right to visit and communicate with such nationals; and contains other provisions afforded under similar bilateral consular conventions in force with a number of other countries.

CONVENTION CONCERNING THE PROTECTION OF THE
WORLD CULTURAL AND NATURAL HERITAGE

*Ex. F, 93d-1st—Resolution of Ratification
agreed to October 30, 1973.*

Provides a means for the identification and protection of natural and cultural areas of outstanding universal value considered as the common heritage of mankind through the establishment of a World Heritage Committee to develop and maintain lists of areas of outstanding importance and a World Heritage Fund to provide international assistance for the protection and conservation of these areas.

CONVENTION FOR THE PROTECTION OF PRODUCERS
OF PHONOGRAMS

*Ex. G, 93d-1st—Resolution of Ratification
agreed to October 1, 1973.*

Provides that contracting states, under their respective domestic laws, will protect the nationals of other contracting states against the making or importation of duplicate phonograms (records and types) without the consent of the producer if the intent is to distribute them to the public.

CONVENTION FOR THE SAFETY OF LIFE AT SEA
AMENDMENTS

*Ex. I, 93d-1st—Resolution of Ratification
agreed to August 3, 1973.*

Provides for improved radiotelephonic watch procedures, more modern radiotelephonic devices, more detailed procedures for the operation of radiotelephonic equipment, and new regulations concerning traffic separation schemes.

CONVENTION ON ENDANGERED SPECIES

*Ex. H, 93d-1st—Resolution of Ratification
agreed to August 3, 1973.*

Establishes a system by which governments may strictly control the international trade in specimens of species which are, or may be, in danger of becoming extinct as a result of that trade.

CONVENTION ON THE PREVENTION OF
MARINE POLLUTION

*Ex. C, 93d-1st—Resolution of Ratification
agreed to August 3, 1973.*

Establishes in each country party to the Convention a national system for regulating the ocean disposal of wastes comparable to the system provided for the United States by Title I of Public Law 92-532, the Marine Protection, Research and Sanctuaries Act of 1972.

CONVENTION WITH JAPAN FOR THE PROTECTION
OF BIRDS AND THEIR ENVIRONMENT

*Ex. R, 92d-2d—Resolution of Ratification
agreed to March 27, 1973.*

Provides for the protection of species of birds which are common to the United States and Japan or which migrate between them and provides that each country will develop programs to preserve and enhance the environment of the birds protected by this agreement.

EXCHANGE OF NOTES WITH ETHIOPIA CONCERNING
THE ADMINISTRATION OF JUSTICE

*Ex. B, 93d-1st—Resolution of Ratification
agreed to March 27, 1973.*

Terminates the notes exchanged on September 7, 1951, concerning the administration of justice and constituting an integral part of the Treaty of Amity and Economic Relations Between the United States and Ethiopia. Termination of the notes, which set forth special commitments on the part of the Ethiopian Government regarding the trial of cases involving American citizens, would be in conformity with the U.S. policy of basing international agreements, in general, on the principles of equality and reciprocity.

EXTRADITION TREATY WITH ITALY

*Ex. M, 93d-1st—Resolution of Ratification
agreed to October 1, 1973.*

Terminates and replaces the extradition treaty between the United States and Italy signed at Washington on March 23, 1968, as later amended and supplemented; provides for the extradition of persons charged with any of 30 specified offenses including offenses relating to narcotic drugs and aircraft hijacking or in the case of conspiracy to commit any of the specified offenses; defines territorial application to include all territory under jurisdiction of either

party including territorial waters and airspace as well as registered aircraft in flight; and permits refusal of extradition unless assurances are received that the death penalty will not be imposed for an offense not punishable by death in the country from which extradition is requested.

EXTRADITION TREATY WITH PARAGUAY

*Ex. S, 93d-1st—Resolution of Ratification
agreed to October 1, 1973.*

Terminates and supersedes the Extradition Treaty between the United States and the Republic of Paraguay done at Asuncion on March 26, 1913; provides for the extradition of persons charged with any of 30 specified offenses including offenses relating to narcotic drugs and aircraft hijacking or in the case of conspiracy to commit any of the specified offenses; defines territorial application to include all territory under the jurisdiction of either party including territorial waters and airspace as well as registered aircraft in flight; and permits refusal of extradition unless assurances are received that the death penalty will not be imposed for an offense not punishable by death in the country from which extradition is requested.

EXTRADITION TREATY WITH URUGUAY

*Ex. K, 93d-1st—Resolution of Ratification
agreed to October 1, 1973.*

Terminates a 1905 treaty between the United States and Uruguay except that crimes listed in that treaty and committed prior to the entry into force of the present treaty shall be subject to the provisions of the 1905 treaty; provides for the extradition of persons charged with any of 30 specified offenses including offenses relating to narcotic drugs and aircraft hijacking or in the case of conspiracy to commit any of the specified offenses; defines territorial application to include all territory under the jurisdiction of either party including territorial waters and airspace as well as registered aircraft in flight; and permits refusal of extradition unless assurances are received that the death penalty will not be imposed for an offense not punishable by death in the country from which extradition is requested.

**INTERNATIONAL COFFEE AGREEMENT 1968,
AS EXTENDED**

*Ex. O, 93d-1st—Resolution of Ratification
agreed to October 1, 1973.*

Extends the International Coffee Agreement of 1968 for 2 years, to September 30, 1975, deleting all operative provisions but preserving the structure of the International Coffee Organization.

INTERNATIONAL CONVENTION ON LOAD LINES
AMENDMENTS

*Ex. D, 93d-1st—Resolution of Ratification
agreed to August 3, 1973.*

Amends the 1966 Load Lines Convention (which established uniform rules concerning the limits to which ships on international voyages may be loaded and brought intrnational load line regulations into accord with modern developments and techniques in ship construction) by correcting a number of errors and ambiguities which have become apparent in such matters as technical terminology, geographic reference points, and cross references.

PATENT COOPERATION TREATY AND ANNEXED
REGULATIONS

*Ex. S, 92d-2d—Resolution of Ratification
agreed to October 30, 1973.*

Simplifies the procedure for applying for patents on the same invention in a number of countries by providing, among other things, a centralized filing procedure and a standardized application format.

PROTOCOL AMENDING THE 1928 CONVENTION
ON INTERNATIONAL EXPOSITIONS

*Ex. N, 93d-1st—Resolution of Ratification
agreed to November 26, 1973.*

Amends the 1928 Convention on International Expositions placing the rules and procedures governing international expositions in line with current techniques, including a reduction in the frequency of international expositions and a simplification of categories, and modernizes the provisions concerning the activities of the Bureau of International Expositions.

PROTOCOL TO THE INTERNATIONAL CIVIL
AVIATION CONVENTION

*Ex. Q, 93rd-1st—Resolution of Ratification
agreed to November 26, 1973.*

Increases the size of the Air Navigation Commission of the International Civil Aviation Organization (ICAO) from 12 to 15 members.

STATUTES OF THE WORLD TOURISM ORGANIZATION

*Ex. R, 93d-1st—Resolution of Ratification
agreed to October 30, 1973.*

Transfers the International Union of Official Travel Organizations (IUOTO), a non-governmental organization, into the World Tourism Organization (WTO), an inter-governmental tourist organization, for the purpose of promoting and developing international tourism to further the economic, social, and cultural progress of all nations.

STRASBOURG PATENT CLASSIFICATION AGREEMENT

*Ex. E, 93d-1st—Resolution of Ratification
agreed to October 30, 1973.*

Adopts a common world-wide system of international classification for patents for inventions, inventors' certificates, utility models and utility certificates providing that each contracting party shall have the right to use the classification as a principal or as a subsidiary system and that the classification shall be solely of an administrative character. The agreement is similar in purpose to the Nice Agreement Concerning International Classification of Goods and Services to Which Trademarks are Applied (Ex. M, 91st-2d), and the Locarno Agreement Establishing an International Classification for Industrial Designs (Ex. I, 92d-2d), which were approved by the Senate on December 11, 1971.