

U.S. CONGRESS



UNITED STATES

OF AMERICA

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 92<sup>d</sup> CONGRESS  
FIRST SESSION

VOLUME 117—PART 19

JULY 12, 1971, TO JULY 16, 1971

(PAGES 24435 TO 25730)

as the "committee"). The committee shall consist of 5 Members of the Senate appointed by the President of the Senate as follows:

(1) three majority party members appointed from recommendations made by the majority leader; and

(2) two minority party members appointed from recommendations made by the minority leader.

The President of the Senate shall designate one of the members as chairman. Vacancies in the membership of the committee shall not affect the authority of the remaining members to execute the functions of the committee, and shall be filled in the same manner as original appointments thereto are made. Any appointment of a Senator to be a member of the committee shall be in addition to the number of appointments to committees to which that Senator may be entitled under paragraph 6 of Rule XXV of the Standing Rules of the Senate.

(b) A majority of the members of the committee shall constitute a quorum thereof for the transaction of business, except that the committee may fix a lesser number as a quorum for the purpose of taking sworn testimony. The committee shall adopt rules of procedure not inconsistent with laws applicable to, and the rules of the Senate governing standing committees of the Senate.

(c) Except as expressly provided by this resolution, no legislative measure shall be referred to the committee, and it shall have no authority to report any such measure to the Senate.

Sec. 2. (a) It shall be the duty of the committee—

(1) to conduct a comprehensive study and investigation with respect to the extent to which particular standing committees of the Senate and subcommittees thereof may have engaged in the performance of functions, or assumed the exercise of jurisdiction, exceeding the scope of the functions and jurisdiction conferred upon them by the Standing Rules of the Senate; and

(2) to propose means and measures necessary or desirable to prevent in the future jurisdictional conflict among standing committees of the Senate arising from such failures to comply with the Standing Rules of the Senate.

(b) The committee shall report to the Senate at the earliest practicable date, but not later than February 29, 1972, the results of its study, and its recommendations for any changes in the Standing Rules of the Senate or other measures which it may determine to be necessary or desirable. Upon the submission of its report to the Senate, the committee shall cease to exist.

Sec. 3. (a) For the purposes of this resolution, the committee is authorized in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to hold hearings, (3) to sit and act at any time or place during the sessions, recesses and adjournment periods of the Senate, (4) to employ personnel, (5) to subpoena witnesses and documents, (6) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel, information, and facilities of any such department or agency, (7) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, in the same manner and under the same conditions as a standing committee of the Senate may procure such services under section 202(1) of the Legislative Reorganization Act of 1946, (8) to interview employees of the Federal, State, and local governments and other individuals, and (9) to take depositions and other testimony.

(b) The minority shall receive fair consideration in the appointment of staff personnel under this resolution. Such person-

nel assigned to the minority shall be accorded equitable treatment with respect to the fixing of salary rates, the assignment of facilities, and the accessibility of committee records.

(c) With the consent of the chairman of any other committee of the Senate, this special committee may utilize the facilities and the services of the staff of such other committee of the Senate, or any subcommittee thereof, whenever the chairman of this special committee determines that such action is necessary and appropriate.

(d) Subpenas may be issued by the committee over the signature of the chairman or any other member designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

Sec. 4. The expenses of the committee under this resolution, which shall not exceed \$10,000 through February 29, 1972, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

#### SENATE RESOLUTION 148—SUBMISSION OF A RESOLUTION RELATING TO PEACE TALKS CONTINGENT UPON ELECTIONS IN SOUTH VIETNAM

(Referred to the Committee on Foreign Relations.)

Mr. EAGLETON, Mr. President, I wish to introduce a resolution for Mr. MONDALE and myself which calls on the administration to give the most urgent and serious consideration to the recent Communist proposals on withdrawal of U.S. forces and repatriation of U.S. prisoners. The Mondale-Eagleton resolution also specifies that the upcoming South Vietnamese election or other political events in South Vietnam should in no way delay or serve as a barrier to reaching an immediate agreement on these proposals.

Mr. President, the Mondale-Eagleton resolution comports with the expressed will of the U.S. Senate as indicated by the 61 votes cast for the Mansfield amendment. It expresses the deeply held belief of a majority of Senators of both parties and all political persuasions that the Government of the United States has honorably fulfilled whatever its commitment to the people of South Vietnam might have been and that the only remaining objective of the Government of the United States is to achieve the release of its prisoners of war.

This resolution will not buy time for the Thieu government in Saigon but if accepted and followed by the President could buy life for many young Americans in Vietnam or on their way there and cut the time that U.S. prisoners of war remain in prison.

On behalf of my colleague from Minnesota (Mr. MONDALE) who initiated this important resolution, I ask unanimous consent that the resolution and his remarks on it be printed in full at this point in the RECORD.

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

#### SENATE RESOLUTION 148

Whereas the overwhelming majority of the American people desire the earliest possible return of our prisoners and withdrawal of all

our forces from Indochina, conditioned only upon the safety of our men;

Whereas the President has stated as a purpose of his policy in Indochina the prompt return of prisoners of war and the safe and orderly return of U.S. forces;

And whereas the President has stated his commitment that repatriation of U.S. prisoners and withdrawal of U.S. forces will not be contingent upon the imposition of a political settlement in South Vietnam;

And whereas the Senate of the United States has by a clear majority expressed its desire that all U.S. forces be withdrawn from Indochina and that all U.S. prisoners be repatriated promptly;

And whereas the current negotiating proposals of the North Vietnamese and Viet Cong delegations in Paris may permit a negotiated agreement for repatriation of prisoners and prompt and secure withdrawal of U.S. forces independent of a political settlement in South Vietnam:

Now, therefore, be it resolved, that it is the sense of the Senate that:

(1) the highest urgency of this Administration shall be to pursue promptly, with good faith, and with the full resources at its disposal the current proposals made by the North Vietnamese and Viet Cong Delegations in Paris,

(2) the sole consideration in negotiating these proposals be that an agreement be reached which provides for repatriation of all U.S. prisoners simultaneously with the safe withdrawal of all U.S. forces, and

(3) under no circumstances should such agreement be contingent upon, or delayed until, the completion of South Vietnamese elections in October 1971, or any other South Vietnamese elections or political events.

#### STATEMENT BY SENATOR MONDALE

This Administration is coming to its moment of truth in Vietnam.

The other side has now offered to return our prisoners of war in exchange for a definite withdrawal of all U.S. forces. And most important, they have apparently dropped a central part of their earlier position—the insistence that withdrawal of forces and repatriation of prisoners be accompanied by political agreement in which the United States, in effect, overthrew the present regime in Saigon.

No one can be certain what lies behind this major change in the position of the Viet Cong and North Vietnamese. Some argue that it is only a ploy to embarrass the Administration and provoke its critics. Perhaps there has been a judgment in Hanoi that the Saigon regime will collapse in any case with an ultimate departure of American forces. And there is at least the theoretical possibility that this reflects a decision on the part of the Communists to deal with the political future of South Vietnam through independent negotiations between themselves and the non-communists in the South—assuming of course that non-communist political forces will survive our departure. I don't know the answers to these questions about Hanoi's motivation in making this extraordinary move, any more than I know how seriously this Administration intends to respond.

But one thing is clear: this negotiating offer will lay bare—at long last—President Nixon's ultimate intentions in Southeast Asia.

If, as the President has said so often, our purpose is a secure withdrawal of U.S. forces and the prompt return of our long-suffering prisoners of war, and if the South Vietnamese are nearly as self-sufficient politically and militarily as the Administration has claimed them to be, our response in Paris should be affirmative. If it is, there is certainly a chance that both prisoners and troops can be home by Christmas.

But this offer will also expose some other "ifs" in the President's policy. If the real purpose of our policy is not to end the war but to prop up a regime in Saigon, if we are unwilling to face the truth about the strength of the Saigon regime and its million-man army, if we are still pursuing some idea of victory or humbling of the other side whatever the cost—then the Administration will let this opportunity for settlement be lost.

I do not underestimate for a moment the difficult questions to be solved in this kind of negotiated withdrawal of U.S. forces. But I think it's time to cut through the diplomatic rhetoric about "complexities" and get to the heart of the problem: The American people want our men and prisoners home from Vietnam, and they want them home now.

They do not want our men to go on being killed and maimed, to go on suffering in communist prison camps, for the sake of some generals in Saigon who cannot stand on their own feet even after the sacrifice of 50,000 American lives and over \$100 billions from the American taxpayer.

It has been suggested that the Administration will delay any settlement until the South Vietnamese Presidential elections in October. If that turns out to be true, the Americans who die and are wounded between now and then will truly have been sacrificed in vain. The record is all too clear that the present regime in Saigon is trying to prevent an authentic democratic election. The thought that we would keep our men in battle to preserve that corruption and travesty is literally sickening.

We must not mistake the momentous wavel of public opinion on this subject.

This is certainly not a partisan matter. All of us who supported the last Administration's war policies bear responsibility for the terrible price of the war.

I and many other Democrats and Republicans must share the blame that our society—and this is expressed most poignantly in the bitter frustration of so many young men returning from Vietnam—is very nearly at the breaking point over the war.

But President Nixon now has a rare, perhaps fleeting opportunity to avert that break here at home and end the continuing death and destruction in Indochina.

If he does not seize the opportunity—and I pray that he does—the American people can only conclude that this Administration's policy may be more concerned with the fate of a dictator in Saigon, more concerned with some strange concept of pride, than with the future of this country.

In the final analysis, this is the President's responsibility. But the Senate also has responsibility in this vital matter—the responsibility to make its position unequivocally clear to the Administration.

Toward this end, I will introduce and seek an early vote on a sense of the Senate Resolution calling on the President to give the highest priority to the proposals submitted by the other side at Paris. This Resolution would make clear that the Senate believes that an agreement must not be prevented by any deferral or condition related to the upcoming elections in South Vietnam.

Hopefully, the Senate will take this opportunity to inform the President of its sense of urgency and seriousness in this matter.

**SENATE CONCURRENT RESOLUTION 33—SUBMISSION OF A CONCURRENT RESOLUTION REGARDING PERSECUTION OF JEWS AND OTHER MINORITIES IN RUSSIA**

(Referred to the Committee on Foreign Relations.)

Mr. BROCK. Mr. President, I introduce today a bipartisan Senate concurrent

resolution to express the sense of Congress that the President of the United States of America shall take immediate and determined steps to call upon the Soviet Government to permit the free expression of ideas and the exercise of religion by all its citizens in accordance with the Soviet Constitution and to call upon the State Department to raise in the General Assembly of the United Nations the issue of the Soviet Union's transgressions of the Declaration of Human Rights.

In this concurrent resolution, my principal joint sponsor and coauthor, Senator JACKSON, and I are joined by Mr. ALLEN, Mr. BEALL, Mr. BENNETT, Mr. FANNIN, Mr. GAMBRELL, Mr. GOLDWATER, Mr. GURNEY, Mr. HUMPHREY, Mr. HUGHES, Mr. JAVITS, Mr. MCGOVERN, Mr. PACKWOOD, and Mr. PELL.

I would like to take this opportunity to examine the harsh plight of the Soviet Jews. The Soviet Union is a dictatorship that denies all its citizens many basic human rights which we take for granted. But the Jews are treated worse than most. The Jew is forbidden his own schools. Although the state policy gives lipservice to freedom of religion, the Jew's freedom is virtually nonexistent. The largest synagogue in Moscow has a seating capacity of around 600 people. There are only three synagogues in Moscow and a new addition of a Hebrew prayer book has not been printed in years.

Cultural repression is not the only evidence of anti-Semitism in Russia. The official Soviet press deliberately holds Jews up to ridicule and scorn, picturing them as economic scavengers. In the economic trials during the 1960's a high proportion of those purged and sentenced to prison or death were Jews. According to press reports, this was the first time in the history of the Soviet Union that capital punishment was invoked for economic crimes.

We now read press accounts of the Moldavian Supreme Court finding nine Jews on trial in Kishinev guilty of anti-Soviet actions and sentencing them to prison-camp terms ranging from 1 to 5 years. The trial in Moldavia was the last in a series involving 34 persons—all but two of them Jews—who were arrested in the wake of an alleged plot to hijack a small AN-2 plane in Leningrad last year and flee abroad.

An Odessa court recently sentenced Reiza Palatnik, a Soviet Jew who had sought to go to Israel, to 2 years in a prison camp for planning to disseminate anti-Soviet material. Mrs. Palatnik was arrested on December 1 by agents of the State Security Committee after they had reached her apartment and seized what was described as "illegal literature." This literature included petitions by Soviet Jews seeking to emigrate and articles and poems by writers known for their liberal views.

These and other oppressive steps have undoubtedly led to at least 50 percent of the Jews now living in the Soviet Union to desire to emigrate to Israel if the opportunity should arise.

Undoubtedly the adverse world reaction to these trials has led the Soviet authorities to ease some of the barriers

to emigration that normally apply to Soviet citizens. It is now reported that about a thousand Jews a month have been leaving the country, some five times more than in previous years.

Perhaps more than anything else, resurgence of anti-Semitism gives cause for concern in our pursuit of world peace. Time and again peace overtures in the Middle East have been met with more strident anti-Israel statements and more repressive anti-Semitic actions within the U.S.S.R. The condition of peace requires an acceptance of equity for religious and ethnic minorities on the part of all peoples.

The persecution of minorities is not confined to the Jews. My colleagues are all too familiar with the repression of the freedom loving people of the Ukraine who have not accepted the Soviet domination and have been fighting to gain their independence by all means accessible to them.

The indisputable evidence produced by exiles of the many violations of human rights by the Soviet Union is so conclusive that I and Senator JACKSON today coauthor a Senate concurrent resolution expressing the sense of Congress that the President acting through the Department of State take such steps that are necessary to place the question of human rights violations in the Soviet Union on the agenda of the United Nations organization. I urge all my colleagues who believe in these human rights to join us in this bipartisan humanitarian effort.

Mr. President, I request unanimous consent that the concurrent resolution appear in the RECORD at this point.

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

**SENATE CONCURRENT RESOLUTION 33**

Whereas in the Soviet Union men and women are denied a freedom recognized as basic by all civilized countries of the world, indeed by the Soviet Constitution; and

Whereas the Jews and other religious minorities of Russia are being denied the means to sustain their identity inside Russia and the opportunity to maintain that identity by moving elsewhere; and

Whereas the right to emigrate, which is denied Russian Jews, is a right affirmed by the United Nations Declaration of Human Rights, adopted unanimously by the General Assembly of the United Nations; Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring).* That it is the sense of Congress that the President of the United States of America shall take immediate and determined steps to—

(1) call upon the Soviet Government to permit the free expression of ideas and the exercise of religion by all its citizens in accordance with the Soviet Constitution; and  
(2) utilize formal and informal contacts with Soviet officials in an effort to secure an end to discrimination against religious minorities; and

(3) demand of the Soviet Government that it permit its citizens the right to emigrate from the Soviet Union to the countries of their choice as affirmed by the United Nations Declaration of Human Rights; and

(4) call upon the State Department to raise in the General Assembly of the United Nations the issue of the Soviet Union's transgression of the Declaration of Human Rights.

Mr. JACKSON. Mr. President, I am pleased to join in a bipartisan effort with