

U.S. Congress

UNITED STATES



OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 92^d CONGRESS
FIRST SESSION

VOLUME 117—PART 8

APRIL 5, 1971, TO APRIL 19, 1971

(PAGES 9469 TO 10870)

160. Decree of court adjudging property subject or not subject to tax; contents of.
161. Hearing and proceedings on contest of right to tax.
162. Appeal by property owner to circuit court provided for.
163. Notice of appeal.
164. Papers transmitted and certified on appeal.
165. Judgment or decree on appeal.
166. Clerk of circuit court certifies back to probate judge.
167. When property becomes subject to taxation.
168. Annexed territory subject to municipal laws.
169. Wards created; aldermen and councilmen provided for.
170. Wards divided into voting precincts.
171. Wards changed and rearranged.
172. Persons exempt from taxes not entitled to benefits, except as to police and fire protection.
173. Sanitary sewers and local improvements provided.
174. Sidewalks; curbing; assessments against abutting owners for.
175. Street and road tax.
176. License or permits for dance halls, pool-rooms, etc.
177. Local improvements and betterments in exempt territory.
178. License or privilege tax for doing business; limitations upon.
179. Privilege or license tax of quasi public or utility corporation; limitations upon.
180. License or privilege tax to exempt territory.
181. Schools; funds and management of within extended territory.
182. Cities of exempt territory may apply to be attached and taxed as other territory.
183. Fees or compensation of probate judge under this article.
184. Provisions of this article held to be contract between city and property owners.
185. Two or more extensions allowed.
186. Records of proceedings must affirmatively show that extension was had under this article.
187. Subsequent election not held within twelve months of preceding.

Mr. ALLEN. Mr. President, in conclusion, let me ask Senators this question. Is it reasonable to assume that Congress intended that every multi-racial community in the United States should go through elaborate, costly, and time-consuming procedures listed in the subject index or similar procedures in all States, only to leave the result in doubt until cleared by the Supreme Court of the United States?

Mr. President, I repeat—the problems are not regional—they are national. The proposed amendment is urgently needed.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 1148

At the request of Mr. MATHIAS, the Senator from Tennessee (Mr. BAKER) was added as a cosponsor of S. 1148, a bill to provide for the continued operation of the Public Health Service general hospitals.

S. 1435

At the request of Mr. STEVENSON, the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 1435, to amend the Communications Act

of 1934 to ban sports from closed-circuit television.

SENATE JOINT RESOLUTION 5

At the request of Mr. BROOKE, the Senator from Indiana (Mr. BAYH) was added as a cosponsor of Senate Joint Resolution 5, designating January 15 of each year as "Martin Luther King Day."

SENATE JOINT RESOLUTION 62

At the request of Mr. GRIFFIN, the Senator from Michigan (Mr. HART) was added as a cosponsor of Senate Joint Resolution 62, a joint resolution to authorize display of the flags of each of the 50 States at the base of the Washington Monument.

SENATE JOINT RESOLUTION 77

At the request of Mr. MANSFIELD, the name of the Senator from Virginia (Mr. SPONG) was added as a cosponsor of Senate Joint Resolution 77, proposing an amendment to the Constitution of the United States relating to the term of office of President and Vice President of the United States.

SENATE CONCURRENT RESOLUTION 21—SUBMISSION OF A CONCURRENT RESOLUTION CALLING FOR SUSPENSION OF MILITARY ASSISTANCE TO PAKISTAN

Mr. CASE, Mr. President, Senator MONDALE and I are today introducing a concurrent resolution that calls for the suspension of military sales and military aid to Pakistan until the conflict in East Pakistan is resolved. Joining us as cosponsors are Senators BAYH, MCGOVERN, MUSKIE, and SAXBE.

We strongly regret the tragedy of the present conflict in East Pakistan, and we support the stated policy of the administration not to interfere in the political or military aspects of the quarrel. But we feel that the United States must be neutral in deed as well as word.

We are deeply disturbed by the prospect of American arms or other military materiel being used in the strife, and we feel this is inconsistent with our policy of noninvolvement. There is obviously little the United States can do to prevent American weapons already in the hands of the Pakistanis from being used, but we can make perfectly clear that no more military supplies will be forthcoming.

The United States is currently selling Pakistan replacement parts for lethal and nonlethal military equipment. This includes ammunition. Moreover, in October 1970 the administration announced a "one shot" sale of military equipment to the Pakistani Government which involved armored personnel carriers, modified patrol aircraft, fighter planes—F-104's—and bombers—B-57's. None of this equipment has yet been delivered, but our offer to sell it has not been rescinded although we reportedly are not presently talking to the Pakistanis about delivery.

The only military assistance currently being granted to Pakistan is a training program for Pakistani officers in the United States.

Senator MONDALE is unable to be here

today, so I ask unanimous consent, Mr. President, that his recent statement on the Pakistan question be printed in the RECORD. I also ask unanimous consent, Mr. President, that an April 14, 1970, article in the New York Times by Benjamin Welles about the sale of military equipment to Pakistan be printed in the RECORD.

The ACTING PRESIDENT pro tempore (Mr. GAMBRELL). The concurrent resolution will be received and appropriately referred; and, without objection, the article and statement will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 21), which reads as follows, was referred to the Committee on Foreign Relations:

S. CON. RES. 21

Whereas the Congress of the United States deeply regrets the conflict that has occurred in East Pakistan; and

Whereas the Congress of the United States opposes the use of American military materiel to increase the level of violence in East Pakistan,

Be it resolved by the Senate (the House of Representatives concurring), That—

(1) All American military assistance to Pakistan should be suspended until the conflict in East Pakistan is resolved;

(2) All licenses for military sales to Pakistan should be suspended until the conflict in East Pakistan is resolved.

The article furnished by Mr. CASE follows:

U.S. ACKNOWLEDGES SALES OF AMMUNITION TO PAKISTAN

(By Benjamin Welles)

WASHINGTON, April 13.—The State Department conceded today that the United States had been selling approximately \$2.5-million worth of ammunition yearly to Pakistan since 1967 as "nonlethal" equipment.

Until now, the Administration has insisted that only minimal amounts of "nonlethal" military supplies have been furnished to Pakistan. It has described such supplies as military personnel carriers and communications equipment.

Robert J. McCloskey, the State Department spokesman, disclosed in response to questions that sales of military items to Pakistan—both on commercial and on credit terms—had in fact been running at "just under" \$10-million a year.

About 25 per cent of this—or about \$2.5-million—has been in the form of ammunition, he said.

Mr. McCloskey explained that United States supplies of both lethal and nonlethal equipment had been embargoed when the India-Pakistani fighting erupted in 1965.

"In 1966 and 1967 the embargo was lifted to permit sales of what we have described as nonlethal equipment," Mr. McCloskey said, "although I acknowledge that to some extent it included ammunition."

PROTESTS IN U.S.

Since March 25 when the Pakistani Government used troops to suppress a movement for political autonomy sponsored by the Awami League, the predominantly Bengali political party of East Pakistan, there have been protests in the United States Congress, the press and among the public that the Pakistani forces were using United States-supplied arms.

Despite Pakistan's expulsion of American and other foreign newsmen and her tight censorship, there have been widespread reports of killing and damage in East Pakistan.

Mr. McCloskey said that the State Department was unable to ascertain when the last United States arms deliveries were made

to Pakistan, what was now en route or what was being prepared for shipment.

Defense Department sources said that intensive efforts began last weekend to assemble from Army, Navy, Air Force and commercial records a composite picture of what the United States military items had been sold to Pakistan in the last four years. However, they warned, it will require "more computer runs" and possibly two more days before the full facts are known.

At the same time Mr. McCloskey was able to furnish figures from the Agency for International Development showing that there were 700,000 tons of American wheat—or a four months' supply—now available in East Pakistan for civilian needs.

There are an additional 200,000 tons abroad ships awaiting unloading in East Pakistani ports, he said, and 300,000 tons more have been authorized for shipment as soon as delivery bottlenecks can be eliminated.

Mr. McCloskey said that the United States had stressed to the Pakistani Government that the current problem was not one of supply but of distribution. Ports, roads and railways have been disrupted, he said, and port labor in East Pakistan is unavailable—presumably because of widespread fighting.

Mr. McCloskey acknowledged that President Agha Mohammad Yahya Khan had still not responded to proposals by the United Nations and the United States for an international relief effort in East Pakistan. He reiterated the willingness of the United States to assist in such an effort.

Meanwhile, the State Department disclosed that the United States was selling to Ceylon—via Britain—six Bell OH-133-H, or "bubble" type, helicopters to help suppress the left-wing guerrilla uprising in that country.

In 1969, it was said, Ceylon bought—on military-credit terms—three Bell helicopters, each valued at \$125,000 new. The actual sales price was not disclosed although the State Department said that spare parts for the craft were flown to Colombo, yesterday in an Air Force jet transport.

The six smaller Bell craft—a type widely used in this country for police surveillance—are being sold at "nominal" costs, sources said. They pointed out that Ceylon had asked for helicopters from both the United States and Britain although Britain had none available.

Because Britain was the traditional arms supplier to Commonwealth countries, they said, the sale of the helicopters was a "sensible triangular arrangement."

The statement by Senator MONDALE follows:

Like so many civil wars, the conflict in East Pakistan is a complex tragedy.

If we are not to repeat costly mistakes of the past, the United States must refrain from any judgments or intervention with regard to the two sides in this strife. For that reason, I strongly support the stated policy of the Administration that the United States will not interfere in the political or military aspects of the quarrel.

But non-interference must be more than diplomatic rhetoric. There is something very wrong when guns, tanks, and planes supplied by the United States are used against the very people they are supposed to protect. There is something very wrong with a military aid policy which lends itself to this travesty in so many countries around the world.

It is one thing for the State Department to declare our neutrality. But if you are a Bengali, a Greek or a Brazilian being fired at by an American weapon or strafed by an American jet, the United States has already very much intervened in your life.

We should ask why this happened in Pakistan. But frankly, there is little our government can do now to prevent American

weapons from being used as they now are being used in that country.

We can take steps, however, to prevent the future use of American-supplied weapons in such situations.

We should look again at the whole range of our military aid programs. We should ask whether they are really serving the interests of U.S. security—or are they instead merely being used by one faction or another in internal disputes which do not affect our security.

We may well discover that most of our military aid is not only a waste of the taxpayer's money, but does more harm than good. The events in East Pakistan are one more compelling reason why the Congress must re-examine our *entire* military aid program.

Finally, it is inexcusable that the United States has been so long in expressing its concern to the Government of Pakistan over the hideous loss of civilian life in the East.

A nation founded on the basis of decent humanitarian principles should express such concern as a matter of course. But when weapons supplied by that nation are being used to kill and maim—by *either side* in an internal conflict—then that nation has an inescapable responsibility to speak out.

When bureaucratic inertia or political equivocation silence basic humanitarian concern, we lose what could be best and most honest about America's foreign policy.

ADDITIONAL COSPONSORS OF RESOLUTIONS AND CONCURRENT RESOLUTIONS

SENATE RESOLUTION 73

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Florida (Mr. CHILES) and the Senator from Utah (Mr. BENNETT) be added as cosponsors of Senate Resolution 73 to amend rule XVI of the Standing Rules of the Senate.

The PRESIDING OFFICER (Mr. ALLEN). Without objection, it is so ordered.

SENATE RESOLUTION 87

Mr. HUMPHREY. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Rhode Island (Mr. PELL) and the Senator from New Jersey (Mr. WILLIAMS) be added as cosponsors of Senate Resolution 87 relating to armament limitations.

The PRESIDING OFFICER. Without objection it is so ordered.

SENATE CONCURRENT RESOLUTION 4

At the request of Mr. CHILES, the Senator from Maine (Mr. MUSKIE) was added as a cosponsor of Senate Concurrent Resolution 4, expressing the consent of Congress on the expanded use of the model cities program.

SENATE CONCURRENT RESOLUTION 5

At the request of Mr. BROOKE, the Senator from Indiana (Mr. BAYH), the Senator from North Carolina (Mr. JORDAN), and the Senator from South Carolina (Mr. THURMOND) were added as cosponsors of Senate Concurrent Resolution 5, to establish a joint committee to investigate the treatment of prisoners of war in Vietnam.

SENATE CONCURRENT RESOLUTION 17

At the request of Mr. STEVENSON, the Senator from Minnesota (Mr. MONDALE) and the Senator from Utah (Mr. MOSS)

were added as cosponsors of Senate Concurrent Resolution 17, relating to the 1971 South Vietnamese elections.

STATE AND LOCAL GOVERNMENT MODERNIZATION ACT OF 1971—AMENDMENT

AMENDMENT NO. 35

Mr. HUMPHREY. Mr. President, I send to the desk an amendment in the nature of a substitute for S. 241 the bill which I originally introduced on January 26, relating to revenue sharing.

Mr. President, the amendment will take the place of the bill I introduced earlier in the session. A similar measure is being presented in the House of Representatives by Representative REUSS of Wisconsin.

Our revenue sharing has distinct advantages, we feel, over the administration's proposal and yet accomplishes the objective of providing general revenue sharing.

The PRESIDING OFFICER (Mr. ALLEN). The amendment will be received and printed, and appropriately referred.

The amendment (No. 35) was referred to the Committee on Government Operations.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that an editorial relating to the bill, published in the New York Times on March 7, 1971, be printed in the RECORD.

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

EDUCATION'S REVENUE SHARE

The compelling argument for revenue sharing is that the states and localities are plainly unable to keep up with the most basic demands for essential services. Except for catastrophically spiraling welfare costs, the crisis of state and local financing is nowhere more apparent than in the schools—not only in New York, but certainly including New York. Caught in the squeeze between inflation and taxpayers' revolt, education is in retreat the very moment when it is neither morally nor politically feasible to shelve again the long-delayed promise of true equality of opportunity.

The national commitment is unmistakable; and when commitments are nationwide, the obligation becomes national. It is simply no longer possible for the towns, suburbs, cities and states to provide on their own what the school children of this country need.

But while the schools would be greatly strengthened by revenues shared for the purpose of general aid to education, academic quality and social equality would be threatened by a weakening of "categorical" Federal subsidies.

Virtually every major recent school reform has relied on such categorical grants. The quality of teaching, particularly in science and mathematics, improved immeasurably as a result of the National Defense Education Act. The twin concepts of a head-start for the disadvantaged and of special funding for schools containing many disadvantaged children gave to the Elementary and Secondary Education Act its cutting edge.

State and local school administrations are often bound by professional traditions and imprisoned by predominantly conservative vested interests. State education officials and legislatures, often in tandem, rarely comprehend the larger canvas of national needs and the potential of progressive reforms. It is