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Now, Therefore, Be It Resolved, That the American Bar Association supports passage of that Section of H. R. 14989 (Salaries of Supporting Personnel), authorizing an additional 236 probation officers or any similar legislation which would authorize at least 236, or more, probation officers.

Adopted by the Assembly on August 16, 1972.

Adopted by the House of Delegates on August 17, 1972.

#### EMIGRATION OF JEWS FROM SOVIET UNION

Mr. ROBERT C. BYRD. Mr. President, at the request of the distinguished Senator from Minnesota (Mr. MONDALE), I ask unanimous consent to have printed in the RECORD a statement by him relative to a mass meeting to protest Soviet policy on the emigration of Jews from the Soviet Union.

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

##### EMIGRATION OF JEWS FROM SOVIET UNION (Statement of Senator MONDALE)

On August 14 the free world was shocked and dismayed to learn of the Soviet Union's intention to require huge and unrealistic sums of money to be paid for educated Jews to receive permission to emigrate.

On Tuesday the distinguished senior Senator from Connecticut (Mr. RIBICOFF) urged us to condemn this form of extortion and make clear the link between removal of this ransom decree and future trade ties with the Soviet Union. Other Senators have since voiced their agreement.

This coming Sunday morning, September 17, at 11 o'clock there will be a mass meeting protesting this Soviet blackmail, held on the Ellipse in Washington. Mr. Sargent Shriver, United States Ambassador to the United Nations, George Bush, and other speakers will address the meeting. I take this opportunity to encourage Senators to be present at the gathering on Sunday to show their opposition to this reprehensible practice or to speak out on this issue that is of concern to so many Americans.

#### RICHMOND COUNTY SCHOOL BUSING CONTROVERSY

Mr. TALMADGE. Mr. President, the Sunday, September 10, combined issue of the Savannah Morning News and the Savannah Evening Press contains an editorial entitled, "That Double Standard." The editorial relates to the decision recently handed down by Mr. Justice Lewis Powell in the Richmond County school-busing controversy. I have already voiced my criticism of that decision in a letter to Attorney General Richard G. Kleindienst.

The double standard to which this editorial refers has been around for quite some time, and those Americans who happen to live in the southern part of the United States have become bitterly familiar with it. It is the same double standard which allows the academic community at Harvard, which is supposed to be the beacon that guides the liberal world, to forget momentarily about academic freedom when Dr. David Armor publishes a study showing that forced school busing is not helping the people it is supposed to help.

The editorial comes to the conclusion that the only way for the South to get

fair and equal treatment is through the enactment of a constitutional amendment. I completely agree, and I recently wrote a letter to President Nixon to that effect.

Nothing could prove this point more clearly than the recent decision by Mr. Justice Powell. We can be indebted to this strange and remarkable decision, however, in one respect. It has cleared up some confusion in the area of determining exactly what legal definition the Supreme Court applies to the term "de jure" segregation. Apparently, in the Court's eye, de jure segregation encompasses all segregation which can be found south of the Mason-Dixon Line. I ask unanimous consent that the editorial be printed in the RECORD, and I commend it to the attention of the Senate.

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

##### THAT DOUBLE STANDARD

Justice Lewis Powell's action in the Richmond County schools case is being cited nationwide as a clue to the attitude the Supreme Court may take toward anti-busing legislation.

The Richmond County case draws this attention because it produced an interpretation of the so-called Broomfield Amendment which would delay all busing orders to achieve racial balance until appeal routes are exhausted.

Hearing the Fifth Circuit case alone because the Supreme Court is in recess, Justice Powell turned down a plea for a delay in a federal busing order. He said the order was not designed to create racial balance but to end segregation.

Justice Powell said the Broomfield Amendment "requires that the effectiveness of a district court order be postponed pending appeal only if the order requires the transfer or transportation for achieving a balance among students with respect to race . . . not all desegregation orders."

If this statement reflects the views of most of the members of the Supreme Court, the Broomfield Amendment means little or nothing at all as far as the youth is concerned.

Justice Powell's opinion appears to revive the old double standard in regard to school attendance patterns in the North as opposed to the South.

It appears to be based on the assumption that school systems in the South which have within them a segregated school, or a school with only a few members of one race enrolled, are practicing de jure segregation.

But the fact is the de jure segregation—segregation by law—has been ended in most states of the South. It has been ended in Georgia. State laws requiring segregation have been abolished.

It would appear from this interpretation that Detroit and other Northern schools could get stays like the one denied Richmond County, the argument being that in the North segregation is de facto and busing orders are for the purpose of attaining racial balance.

De facto segregation, of course, is supposed to result from residential patterns, not from legal structures against desegregation.

Totally ignored has been the fact that in the South, just as well as in the North, a school predominantly attended by students of one race can also be the result of residential patterns.

And since in the South, segregation laws have been abolished and most school systems, if not some individual schools, have been integrated, where segregation exists it has to be considered de facto.

Except, apparently, by the federal courts. Justice Powell's ruling indicates that our part of the nation is still suffering judicial treatment different from that of other regions because of laws enacted by earlier generations but no longer in existence.

Besides that, it might be pointed out that at the time the laws did exist, they were completely legal and had in fact been called constitutional by the Supreme Court.

The Richmond County ruling calls for a constitutional amendment on busing so the South Can Get a Square Deal.

#### INCREASED TRADE WITH SOVIET UNION SHOULD WAIT UNTIL SOVIET AUTHORITIES REVOKE EXORBITANT EXIT TAXES ON JEWS EMIGRATING TO ISRAEL

Mr. SCHWEIKER. Mr. President, we stand on the threshold of a promising new era in Soviet-American relations. The initiatives undertaken by the Nixon administration have led to new cooperative relationships between the United States and the Soviet Union in military, diplomatic, and economic realms. The President's historic visit to Moscow in May illustrated a growing spirit of good will between our two nations, one that is being implemented and documented with the recently approved SALT treaty and the interim agreement now before the Senate.

It is with considerable regret, therefore, that I must now address an issue that threatens to mar this new spirit of cooperation and lessened tension between our Government and the Government of the Soviet Union. This is the issue of emigration by Soviet Jews to Israel, and especially the recently announced Soviet policy to impose an exorbitant tax of from \$5,000 to \$25,000 on each educated Soviet Jew desiring to leave for Israel.

Mr. President, on August 25, I wrote a letter to the Secretary of State, protesting the cynical move by the Soviet Government. I ask unanimous consent that the text of my letter be printed at this point in the RECORD.

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

U.S. SENATE,

Washington, D.C., August 25, 1972.

HON. WILLIAM P. ROGERS,  
Secretary of State,  
Department of State,  
Washington, D.C.

DEAR MR. SECRETARY: I am shocked and angered to learn that the Soviet Union has begun imposing an exorbitant tax on educated Jews who wish to emigrate to Israel. This tax is said to be from \$5,000 to \$37,000, depending on the person's level of education. Supposedly, this is to reimburse the Soviet Government for the cost of their education.

This cynical "tax" is in fact a ransom. The comparison that comes to mind most readily is with the Nazi proposal during World War II to spare Jewish victims in return for trucks. I have long protested the Soviets' refusal to permit more than a limited number of Jews to emigrate to Israel. But with this latest "tax", the Soviet Government is willing to make an absolute mockery of one of the fundamental human rights, the right of a citizen of a country to emigrate in peace. This is all that the Soviet Jews ask.

I know you already are engaged in addressing yourself to this issue of international human rights. I will stand firmly behind all efforts by our Government to protest this