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Another factor frustrating the acceptance of recycled materials is a lack of markets. Successful recycling is dependent on demand for the recycled products. One way to increase the demand for these products is through Federal purchasing power. Efforts in the direction of Federal procurement of recycled materials and products have already been made, yet they have been ineffective or have tended to discriminate against recycled materials, in favor of virgin materials.

Congress has tried to widen the market for recycled materials by the passage of at least 10 bills which established recycled material content regulation standards for products procured by executive agencies and other departments of the Federal Government. We have also passed at least three bills directing GSA and other environmental agencies to conduct studies of the uses of recycled materials in the manufacture of such bills. Yet, increased recycling is still frustrated by lack of markets; demand for secondary materials is still limited. The Federal Government must take the lead in the utilization of recycled materials, S. 1122 calls for more aggressive Federal procurement in the use of recycled materials and products.

Mr. President, in view of the rapidly mounting solid waste problem, I feel the Congress must act immediately to remove economic barriers and other impediments to increased recycling. Obviously, there still remain other obstacles to the increased use of recycling as a means of alleviating our solid waste problem, but S. 1122 is a positive, needed step toward that goal.

#### REMARKS BY ARTHUR J. GOLDBERG BEFORE THE AMERICAN ISRAEL PUBLIC AFFAIRS COMMITTEE

Mr. MONDALE. Mr. President, former United Nations Ambassador and U.S. Supreme Court Justice Arthur J. Goldberg recently reviewed United Nations action in the Middle East before the 14th Annual Policy Conference of the American Israel Public Affairs Committee which was held in Washington on May 7-8.

I believe that Justice Goldberg's remarks will be of interest to my colleagues. Focusing upon the language and legislative history of UN Security Council Resolution 242 of November 22, 1967, which represented the UN's blueprint for a settlement following the 6-day war, Justice Goldberg pointed out that Resolution 242 simply "endorses the principle" of Israel withdrawal "from territories occupied in the recent conflict" without "defining the extent of withdrawal." He also said:

The notable presence of the words 'secure and recognized boundaries,' by implication, contemplates that parties could make territorial adjustments in their peace settlement.

We can all agree with Justice Goldberg that the concept of a just and lasting peace accepted and agreed upon by both parties is the essence of Resolution 242.

Mr. President, I ask unanimous consent that Justice Goldberg's speech be included in the RECORD.

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

#### REMARKS BY THE HONORABLE ARTHUR J. GOLDBERG

Eight years ago, on May 3, 1965, during my tenure on the Supreme Court, I addressed the American Israel Public Affairs Committee at a dinner celebrating Israel's 17th anniversary. In this address I said:

"The leaders of Israel on every occasion have proclaimed their earnest desire to negotiate a just and lasting peace with their Arab neighbors and a willingness to cooperate with them in the development of the resources of the area for the benefit of all its inhabitants. The direct negotiation of an Arab-Israel permanent peace treaty to replace the present unsatisfactory armistice is a goal of American foreign policy just as it is the Israeli goal . . .

"Neither America nor Israel welcomes an arms race in the Middle East. Both seek peace, but the cause of peace . . . will not be served . . . by permitting those whose security is imperilled to be the victims of an imbalance of arms . . . Israel deplores, as we do, the wastefulness of armaments . . . in an area which loudly calls for social and economic development."

As the French say, the more things change, the more they are the same.

The record shows that even before the Six Day War the Arab States were opposed, as they are now, to direct negotiations with Israel to settle their differences and to conclude a peace agreement.

Today, this unwillingness to engage in direct negotiations is explained on the ground that Israel is in occupation of Arab territories. A commitment by Israel for total withdrawal is insisted upon by Egypt, in particular, as a pre-condition to any form of negotiation—direct or indirect.

It is a simple fact of international life, however, that a refusal to negotiate on this ground is unprecedented and contrary to international custom and usage. But Egypt thus far has been adamant on this critical point.

In light of this unswerving position by Egypt and of recent events which have tended to add tension to the area, it may seem academic to discuss the prospects of peace in the Middle East. Present circumstances are hardly propitious for negotiations and settlement.

Yet, the goal of peace must never be forsaken and must be constantly pursued.

It is a natural temptation for one who, as United States Ambassador to the United Nations, for three years played a key role in the debates and negotiations involving conflict and peace in the Middle East to offer his personal blueprint of how peace can best be achieved.

I do not propose to yield to this temptation. If anything, Israel and the Arab States have had too much advice as to how to settle the dispute between them.

It is one thing to express concern about the situation in the Middle East and to voice the fervent hope that a peace treaty between Israel and the Arab states will be achieved—better sooner than later. It is quite another thing to profess a monopoly on the prescription which thus far has eluded Israel, the Arab states, the United Nations and governments, including our own, for attaining a peace agreement.

But, in lieu of a blueprint, I wish to offer some general observations about the road to peace in the Middle East.

Perhaps the best way to start is to recall the principle that guided the United States and many other governments at the U.N. during the long period of debate and negotiations following the Six Day War and culminating in the unanimous adoption of the critically important Resolution 242 by the Security Council on 22 November 1967. This principle was often stated by me, for our government, in these words: "To return to the situation as it was on June 4, 1967 is not a prescription for peace, but for renewed hostilities."

This principle was based on the realistic recognition that that situation had been tried twice—in 1948, after the War of Independence, and in 1957, after the Sini War. In both these instances, the prescription was: Let's have an armistice and the armistice, as its terms indicated, would inevitably lead to peace. This did not turn out to be the case. The armistice, which was intended to be temporary, solidified into a situation where it neither kept the peace nor led to it.

I believe that this principle was accurate then. I believe it is accurate now. And, I express the fervent hope and expectation that our government will remain faithful to this principle.

I think it is appropriate to recall also what our government, immediately after the June war, said about the nature of a peace settlement in the Middle East:

"But who will make this peace where all others have failed for 20 years or more? Clearly the parties to the conflict must be the parties to the peace. Sooner or later, it is they who must make a settlement in the area. . . . The main responsibility for the peace of the region depends upon its own peoples and its own leaders. What will be truly decisive in the Middle East will be what is said and what is done by those who live in the Middle East. . . . The nations of the region have had only fragile and violated truce lines for 20 years. What they now need are recognized boundaries and other arrangements that will give them security against terror, destruction and war."

Again, I believe that this insight was true then. I believe it is right now. I again express the fervent hope and expectation that our government will be faithful to this insight.

We might also recall another principle insisted upon by our government in 1967, namely, that others can and should help, but their contribution should be "to promote agreement and assist efforts to achieve a peaceful and accepted settlement." In other words, an agreement is not to be imposed. That is the exact language of Resolution 242 of 22 November 1967.

I have discovered that people have forgotten what transpired in 1967, and I have also discovered a rather widespread attempt to forget the circumstances which led to the Six Day War. Sometimes this forgetfulness extends to people in very high places indeed.

Resolution 242 was not adopted in a vacuum. It was the product of months of debate and negotiation at the United Nations extending from May 1967, before the war actually broke out, until November 22 of the same year, the date of its adoption.

Let us together recall the incontrovertible facts of what occurred.

In May of 1967, the late President Nasser moved substantial Egyptian forces into the Sinai, ejected the U.N. peacekeeping forces, reoccupied the strategic and previously demilitarized Sharm-el Sheik, and proclaimed a blockade of the Straits of Tiran. In so doing, President Nasser disrupted the status quo in the area which had prevailed since the war of 1956-57. He also violated an understanding with the United States. President Eisenhower had negotiated with Dag

Hamarskjold and President Nasser terms which were very simple—and which are in the files of the State Department, President Nasser agreed not to remove the UN forces until their mission of achieving permanent peace in the area was accomplished.

These were ominous measures, Israel, which under American pressure had withdrawn its forces from Salmi and Sharm-el-Sheik in 1957, had consistently affirmed that a blockade of its ships and cargoes seeking to pass through the Straits of Tiran would be a *casus bellum*. Moreover, faced with divisional forces of well-armed Egyptian troops on its borders and increasingly provocative statements by Nasser and other Arab leaders, Israel had little choice but to order mobilization of its largely civilian army. Tension in the area became increasingly acute.

It was justified concern which, therefore, prompted the Western powers, including the United States, to take the initiative in convoking the United Nations Security Council in an attempt to settle the conflict by diplomatic means.

It is interesting to recall the Soviet and Arab response. They answered that we were over-dramatizing the situation. If we were over-dramatizing the situation, then no drama, including Shakespeare, was ever a true drama.

When the war did break out on June 5, 1967, the United States took the initiative in attempting to arrange for an immediate cease-fire—before Israeli troops took Sharm-el-Sheik, before the fight in Jerusalem, before King Hussein got very much involved. Whether because of faulty intelligence or prideful unwillingness to face the facts, the Arab states supported by the Soviet Union refused to permit a cease-fire resolution to be voted on the first day of the war, even though this was obviously to their advantage. It will be recalled that in the first few hours of the fighting, the Egyptian air force was effectively destroyed and the fate of the war thereby determined.

It was only on the second day of the war, after it became publicly apparent to all that Israel for all practical purposes had already won the war, that agreement was reached in the Security Council on a simple resolution calling for a cease-fire. And even then, it took several days to get acceptance from Jordan, and even more time to obtain Syrian acquiescence to a cease-fire although Israeli forces were advancing on their fronts.

The cease-fire resolutions which were ultimately adopted during and following the Six Day War differed dramatically, however, from previous resolutions of the Council in the Israeli-Arab wars of the preceding nineteen years. In the earlier resolutions, the call for a cease-fire was usually accompanied by a demand for a withdrawal of troops to the positions held before the conflicts erupted. In June of 1967, however, no withdrawal provisions were incorporated as part of the cease-fire resolutions. This was not by accident but rather as a result of the reaction by a majority of the Security Council to what had occurred.

As the debates revealed, the Council was unwilling to vote forthwith withdrawal of Israeli forces because of the conviction of a substantial number of the members of the Council that to return to the prior armistice regime would not serve the goal of a just and lasting peace between the parties. Proof that this was so is provided by the action of the Security Council with respect to a resolution pressed at the time by the Soviet Union. The Soviet delegate offered a specific resolution not only reaffirming the Council's call for a cease-fire, but, additionally, condemning Israel as the aggressor and demanding a withdrawal of its

forces to the positions held on June 5, 1967, before the conflict erupted. But this resolution of the Soviet Union, although put to a vote, did not command the support of the requisite nine members of the Security Council.

Israel was not condemned as an aggressor because of the conviction of a majority of the Security Council, shared by world opinion, that President Nasser's actions had brought about the war, regardless of who fired the first shot.

The Soviet Union did not allow the matter to rest with its defeat in the Security Council. It called for a special session of the General Assembly which convened on June 17, 1967. It is important to recall that the General Assembly also refused to adopt by the requisite  $\frac{2}{3}$  majority a resolution and several other members and supported by the Soviet Union and the Arab states, differing somewhat in tone but not in substance from the prior Soviet resolution.

With the adjournment of the Special Session of the General Assembly in September 1967, the matter once again reverted to the Security Council and again became the subject of further public debate as well as intensive private negotiations. These finally culminated in the November 22 Resolution 242.

The Resolution offered by the British Representative, Lord Caradon, stemmed in substantial degree from a General Assembly resolution of the Latin Americans and a United States resolution offered to the resumed Security Council meeting. The unanimous support for Resolution 242 was the product in considerable measure of intensive diplomatic activity by the United States both at the United Nations and in foreign capitals throughout the world. This is not to say that Great Britain, the various Latin American countries, India and others were not actively engaged in the negotiations and diplomatic activity, but it cannot be gainsaid that the United States took the primary role in the adoption of the November 22 Resolution.

The United States went all out diplomatically because we still hoped, first, to get a resolution and second, to have all parties pursuant to the resolution negotiate an agreed and accepted settlement before positions congealed.

I always read with great interest what appears as the description of Resolution 242. I constantly read that the Arab states have accepted the resolution but that Israel has not, thus proving that Israel is inflexible, warlike, hawkish, etc. This simply is not true. The Arab states have accepted the resolution, and Israel has accepted the resolution. It is true that their interpretations differ. It is only natural that the parties should place their own interpretations on the resolution. But the fact of the matter is that both parties have accepted it.

I also see in comment even by very eminent political scientists that Egypt has said that all Israel has to do is accept and implement the resolution, and then there can be peace in the Middle East. But the resolution was designed so that it cannot be self-implementing. The goal of the resolution is an accepted and agreed settlement. There must be two parties to an agreement, and thus far the Arab states have not been willing to make an "accepted and agreed-upon settlement."

The third thing I constantly see in the press is that the resolution calls for complete Israeli withdrawal. It does not. Resolution 242, in dealing with the withdrawal of Israel's forces, does not explicitly require that Israel withdraw to the lines occupied by it on June 5, 1967, before the outbreak of the war. The Arab states urged such language;

the Soviet Union, as I have already mentioned, proposed this at the Security Council, and Yugoslavia and some other nations at the Special Session of the General Assembly. But such withdrawal language did not receive the requisite support either in the Security Council or in the Assembly. Indeed, Resolution 242 simply endorses the principle of "withdrawal of Israel's armed forces from territories occupied in the recent conflict," and interrelates this with the principle that every state in the area is entitled to live in peace within "secure and recognized boundaries."

The notable omissions—which were not accidental—in regard to withdrawal are the words *the or all* and the *June 5, 1967 lines*. In other words, there is lacking a declaration requiring Israel to withdraw from *the or all* the territories occupied by it on and after *June 5, 1967*. Rather, the Resolution speaks of withdrawal from occupied territories without defining the extent of withdrawal. And the notable presence of the words "secure and recognized boundaries," by implication, contemplates that the parties could make territorial adjustments in their peace settlement encompassing less than a complete withdrawal of Israeli forces from occupied territories, inasmuch as Israel's prior frontiers had proved to be notably insecure.

The Resolution, however, does not reiterate the language of prior U.N. resolutions calling for total repatriation or optional compensation for refugees, a concept long resisted by Israel. Rather it implicitly recognizes that all must participate in solving this problem—Israel by a more generous policy of repatriation and compensation, the Arab states by ceasing to utilize refugees as political pawns and their camps as breeding grounds for hate and despair, and the world community both by more generous financial assistance and liberal immigration policies. The debates at the U.N. on this point support this interpretation of the Resolution.

Jerusalem is a very emotional issue, but here, too, the resolution offers some guidance. There was no reference in the resolution reaffirming prior UN resolutions calling for the internationalization of Jerusalem. It was recognized at the UN that these resolutions were a dead letter and that the question of Jerusalem had to be part of the overall settlement in a peace agreement.

Unless recent occurrences have changed his position, President Sadat has declared that Egypt is willing to sign a peace agreement with Israel, although this offer is conditioned with reservations not embodied in Resolution 242, principally an Israeli prior commitment to complete withdrawal. King Hussein of Jordan has long been anxious to make peace if freed from the restraints of his Arab partners. And Prime Minister Meir has frequently expressed Israel's willingness to negotiate without prior conditions to the end of a just and lasting treaty of peace.

But, notwithstanding, an impasse exists and may continue for some period to come. Indeed, a further military confrontation cannot be excluded. The time seems hardly propitious for a settlement. I would like, however, to emphasize, at this point, the value of patience and restraint in the resolution of grave diplomatic dilemmas such as this. Patience and restraint can bring their own rewards. For example, who, just a few years ago, could have predicted the recent agreements relating to Berlin and Germany, so long the most acute cause of international tension?

Our government must exercise patience, too, although it should always stand ready to use its good offices for peace. In this connection, I welcome the ongoing assurance of the Administration that Israel will not be pres-

sured in the search for a just, lasting and agreed-upon peace which will serve the interests of Israel and its Arab neighbors alike. The role of the United States has been defined to be an "honest broker" seeking to bring the parties to negotiations. This is the appropriate role for the United States rather than what was attempted in the ill-fated Rogers Plan.

I know there are still some who dream of an international utopia in which a few "civilized" states would use their power to settle the affairs of the world, much as the major powers of Europe did in the century after the Congress of Vienna. But we should remember that when the rule of the Concert of Europe finally fell apart world war ensued.

The time has long passed when great powers can or should impose their views on small states. Greatness alone does not assure a monopoly or wisdom. Rather, all powers and people genuinely interested in a settlement in the Middle East should lend their influence in support of a negotiated peace treaty between the parties to the 1967 conflict. In this uncertain world, no one can guarantee that anything done today will endure forever. But I am strongly of the conviction that there is no other way to lasting peace in the Middle East than the way in which nations throughout history made peace which lasts—through negotiated agreements between the affected parties reflecting both magnanimity and a true and realistic recognition of the needs and interests of those directly concerned.

It seems scarcely necessary to emphasize how profoundly all the parties would benefit by a peaceful and accepted settlement.

The cost on both sides of the continuing conflict has been far greater than the world generally realizes. From the 1948 war to the present, Israel has suffered more than 8,500 persons killed, both military and civilian, and a much larger number wounded. In proportion to population, this toll is greater than that suffered by the United States in World War II. In the Six Day War in 1967 alone, Israel's casualties in relative terms were more than twice as high as all the casualties the United States has suffered in the years of fighting in Vietnam. On the Arab side, it is evident from published estimates that losses in this prolonged conflict have likewise been numbered in the many thousands, and relatively and absolutely have been most grave and tragic.

In addition, there is the economic burden. Israel's defense-related expenditures constitute a staggering weight on an economy striving to expand. Israel is the most highly taxed country in the world. The dead weight of the arms burden on the Arab side is equally to be deplored.

Thus, both the responsibility and the overwhelming interest of the parties is for peace.

Israel cannot make peace alone, just as it cannot disarm alone. It is necessary that a corresponding will and commitment to peace and disarmament should exist also on the Arab side. And it is necessary that both parties be willing to make sacrifices and compromises in the interest of peace.

The making of peace requires no less courage—sometimes greater courage—than the making of war.

That a shared desire for peace and a realistic approach to negotiations and a peace treaty may emerge is my profoundest hope, for common interest dictates its necessity. But peace will not come into existence of its own accord. For, although we all acknowledge peace as the will of God, yet, it remains true, as President Kennedy said, "that here on earth God's will must truly be our own."

## U.S. POLICY TOWARD GREECE

Mr. PELL. Mr. President, the shortsightedness and failure of U.S. policy toward the Greek junta have never been more apparent than they are today. In the aftermath of the junta's abolition of the monarchy and its proclamation of a pseudo republic, it is clear that the time has come for the administration—or the Congress if the administration is unwilling—to undertake a thorough review of U.S. policy toward Greece.

By the extra-legal actions in abolishing the monarchy and proclaiming into existence a "presidential parliamentary republic" the Greek colonels, who have never been noted for respecting the law, demonstrated their unwillingness to be bound even by the provisions of a constitution which they themselves wrote. Indeed it appears that the junta's members will stop at nothing in their effort to eliminate any and all possible avenues of return to a free political system.

Because of the prominent expressions of approval which high U.S. officials have repeatedly bestowed upon Colonel Papadopoulos the administration must accept a large measure of responsibility for his arrogant behavior. It is clearly evident that the policy of "quiet persuasion" which the administration has claimed to have pursued in Athens has been a total failure. Thus far it has failed to produce even the slightest prospect that the Greek people will ever have an opportunity to freely determine their political future. Indeed it may well be that the administration's acceptance of the junta's brutal repression of unrest in Greek universities and its failure to react to the most recent wave of political arrests led the colonels to believe that the administration would condone any steps which the junta might take to maintain itself in power so long as such actions do not directly jeopardize the ostensible benefits to the United States of United States-Greek military cooperation. We must now ask ourselves, however, whether this extremely narrow military justification of the administration's support for the junta is not open to serious question.

The repressive behavior of the Athens regime, which long ago made it a political outcast in the European community seems now to have affected the Greek Armed Forces in a manner which gives rise to serious concern over whether they are capable of fulfilling their responsibility to the Atlantic Alliance. It is evident that the junta does not consider its own naval forces politically reliable and there are reports that the air force is not fully trusted. According to news reports, important segments of the commandos and the marine corps are engaged in guarding navy and air force installations with the main units of the navy locked in Salamis Bay and those of the air force grounded in central Greece. And for the last 6 years much of the army has been employed in enforcing the junta's control over the civilian populace. These circumstances make a farce of the ability of Greece to make an effective

contribution to the defense of NATO's southern flank. Moreover, the long-term viability of Greece as a suitable homeport for the 6th Fleet is a matter which should be closely examined. In fact, the detachment of destroyers from my home city of Newport to Athens seems more reprehensible than ever in the light of last week's events.

It is a bitter irony that the junta's first public commitment to hold parliamentary elections by a fixed date should have come as part of an announcement which eliminated the last impediment, symbolic though it may have been to perpetual totalitarian rule by the junta. Unfortunately, there is no reason to expect that even this promise will be honored any more than were the junta's earlier promises to implement those articles of their own constitution which theoretically guarantee individual liberties.

It is indeed unfortunate that we have yet to hear any expression of concern from the administration over these recent actions of the junta. It is for this reason that I have today written to the Secretary of State to urge that the administration review its existing policy toward Greece—a policy which was once described in a report to the Committee on Foreign Relations as one which "has strengthened the position of the regime in Greece and at the same time has reduced the incentives for a return to democratic order." That description of the administration's policy unfortunately appears as valid today as it was when it was written over 2 years ago.

## PRESERVATION OF ESSENTIAL MUNICIPAL SERVICES

Mr. RIBICOFF. Mr. President, following passage last Friday of my amendment to S. 1570, The Emergency Petroleum Allocation Act of 1973, I received a letter from the National League of Cities and the U.S. Conference of Mayors.

This letter from Mr. Allen E. Pritchard, Jr., executive vice president, National League of Cities and Mr. John J. Gunther, executive director, U.S. Conference of Mayors, on behalf of 15,000 municipalities throughout the Nation, expressed support for my amendment. They set out the grave dangers posed to our Nation's cities by the growing fuel shortages and included a number of specific instances of municipal fuel crises.

In my remarks on the floor prior to passage of my amendment, I had cited the situations in Plainville and Norwich, Conn. My amendment is intended to deal exactly with these shortages and those facing municipalities everywhere. I am hopeful that in its consideration of this legislation by the other body, the same or a similar provision will be included.

I ask unanimous consent that the text of the letter and the memorandum on a number of municipal fuel crises be printed in the RECORD.

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