

UNITED STATES



OF AMERICA

U.S. Congress.

Congressional Record

PROCEEDINGS AND DEBATES OF THE 93^d CONGRESS
FIRST SESSION

VOLUME 119—PART 23

SEPTEMBER 11, 1973 TO SEPTEMBER 19, 1973

(PAGES 29103 TO 30560)

there is insufficient incentive to be prompt about picking them up. Curiously, some humane society workers report that the Federal agencies are remiss in getting to the terminals when they should. Large and frequent shipments of mice and expensive primates, used by the Government for health research, are often left for several days before someone is dispatched to claim them. It is interesting, and sad in this case, that, along with the reluctance of the recipient to send a truck to the depot, the freight handlers traditionally have not had delivery services.

ANIMAL WELFARE ACT

There have been attempts to alleviate these problems. In 1970 Congress passed the Animal Welfare Act, which does afford some protection for airborne animals. However, its provisions are not adequate, nor are they followed or enforced. Under the 1970 law, exhibitors, dealers, and research facilities are required to meet certain standards for transportation of domestic animals.

Regulations promulgated by the Secretary of Agriculture under the act do provide a base upon which to build new regulations. They require that the transporting vehicles be mechanically sound and that the animal cargo compartments be clean.

The regulations are quite specific as to the transporting cages or crates. They must be well ventilated, yet sufficiently closed to protect the animal from the elements. They must be easily opened in the event of emergency, and they must be so designed that the inner temperature will not exceed the outside temperature. They must be constructed in such a way that the inside temperatures never go above 95 degrees and temperatures between 85 and 95 degrees are not present for more than 4 hours at a time.

The crates must be large enough to allow the animal to sit or lie in a natural position. Further regulation prohibits shipping incompatible animals in the same crate.

Crates without solid floors may not be placed one on top of the other; and all crates must be cleaned and sanitized between shipments.

Special attention is given in the regulations to trips which take more than 12 hours. In those cases, the vehicle must be stopped—this would obviously not apply to airplanes—and potable water made available to the animals for at least one hour. Adult dogs and cats must be fed once every 24 hours, and puppies and kittens every 6 hours. Dogs must be removed from the carrier at least once every 36 hours for water and exercise.

The regulations also name the attendant or driver as the person responsible for checking the animals and determining if any need veterinary care. If so, it is his duty to arrange for a veterinarian to check the animal.

MORE PROTECTION IS NECESSARY

The 1970 act and the regulations are all needed. But they are not enough. They are not specific to the problems of air transportation and they do not cover conditions at the terminals or the air freight warehouses. They do not place restrictions on retail pet dealers, or on

those who earn only a small portion of their income from the breeding and raising of dogs and cats and the subsequent sale to dealers or research facilities. Clearly, new, stronger and more complete provisions are needed.

Mr. President, Senator BAKER has introduced legislation, S. 2217, which would lead to substantial improvements in the care and handling of animals transported by air. S. 2217 requires the Secretary of Transportation, in cooperation with the Civil Aeronautics Board, to complete a study of existing conditions in air transportation of animals within 60 days after enactment. Then 60 days thereafter, the Secretary would be required to promulgate regulations, including minimum standards, providing for the humane treatment of all animals in air transportation.

Mr. President, I am pleased to join as a cosponsor to S. 2217.

S. 2328

At the request of Mr. MCINTYRE, the Senator from Colorado (Mr. HASKELL) and the Senator from Indiana (Mr. BAYH) were added as cosponsors of S. 2328, a bill to require the certain information about gasoline be disclosed to consumers.

SENATE JOINT RESOLUTION 147

At the request of Mr. MCINTYRE, the Senator from Iowa (Mr. CLARK), the Senator from Maine (Mr. MUSKIE), the Senator from California (Mr. TUNNEY), and the Senator from Connecticut (Mr. WECKER) were added as cosponsors of Senate Joint Resolution 147, calling for a report on the People's Republic of China grain purchase.

REMOVAL OF COSPONSOR OF A BILL

S. 1103

At the request of Mr. HATHAWAY, his name was removed as a cosponsor of S. 1103, to provide for public financing of campaigns for nomination for election, or election, to the Congress of the United States.

SENATE RESOLUTION 168—SUBMISSION OF A RESOLUTION RELATING TO SOVIET TREATMENT OF INTELLECTUAL DISSIDENTS

(Referred to the Committee on Foreign Relations.)

Mr. MONDALE. Mr. President, newspaper reports of the past 10 days have revealed that the Soviet Government is waging new and intensive campaigns against Nobel Laureate Alexander Solzhenitsyn and physicist and civil rights advocate Andrei Sakharov.

Mr. Sakharov, the father of the Soviet hydrogen bomb, but also an outspoken advocate for the nuclear test ban, issued a manifesto in 1968 urging intellectual freedom and humanitarian rights. Since that time, he has become a leading Soviet civil rights activist. On August 25, he invited a group of foreign correspondents to his Moscow apartment and warned that—

Approachment without democratization is very dangerous. It might lead to grave consequences inside our country and contaminate

the whole world with an anti-democratic character.

He has also stated:

Intellectual freedom is essential to human society—freedom to obtain and distribute information, freedom for open-minded and unfearing debate, and freedom from pressure by officialdom and prejudice.

Alexander Solzhenitsyn, perhaps the greatest Russian writer of this century, has also been subject to a barrage of criticism for his overtures to the West. Mr. Solzhenitsyn, saying that his life has been threatened by the KGB, reports that in the event he is imprisoned or killed, he has made provision for publication of "the main part" of his works, heretofore unpublished.

For the past 10 days, the Soviet Government has orchestrated a widespread campaign against these and other dissidents. Hundreds of letters and articles have been directed against these men in the pages of the Soviet press. Violinists David Oistrakh and Leo Kogan, warned that Sakharov is "stirring up the dying coals of the cold war." Composer Shostakovich accused him of "debasing the honor and dignity of the Soviet intelligensia."

It is feared that this campaign is being waged to prepare public opinion for legal action against Mr. Sakharov with the possibility of throwing him into a mental asylum, which is a common punishment for Soviet dissidents, or into jail.

Indeed, Mr. Sakharov suggested in Moscow Saturday that delegates to an international conference on schizophrenia in the Soviet Union next month demand to see people who, he said, were forcibly confined in psychiatric hospitals for political reasons. The American Psychiatric Association appeared to be taking up his suggestion.

This campaign of the Soviet Government to harass and intimidate those who have demonstrated enormous courage in advocating civil liberties, truth, and human decency, offends the conscience of free peoples everywhere. Indeed, in the First Circle, Solzhenitsyn asks:

Aren't writers supposed to teach, to guide? . . . And for a country to have a great writer—don't be shocked, I'll whisper it—is like having another government. That's why no regime has ever loved great writers, only minor ones.

I am therefore submitting a sense of the Senate resolution today which urges the President, in this period of relaxed international tensions and American-Soviet détente, to impress upon the Soviet Government the deep and growing concern of the American people with the continuing intimidation of these men and women who do not adhere to prevailing ideology.

It also urges the President to call upon the Soviet Government to permit the free expression of ideas by all its citizens in accordance with the Soviet Constitution and the Universal Declaration of Human Rights.

Finally, the resolution urges that the President use the medium of current negotiations with the Soviet Union, as well as informal contacts with Soviet officials, in an effort to secure an end to the repression of dissent.

Yesterday the National Academy of Sciences, in a telegram sent by Dr. Philip Handler, its president, to Dr. Mstislav Keldysh, president of the Soviet Academy of Sciences, warned that American scientists will refuse to participate in joint projects as long as Moscow continues to harass Mr. Sakharov. The cable stated:

Harassment or detention of Sakharov will have severe effects upon the relationships between the scientific communities of the U.S. and the U.S.S.R. and could vitiate our recent efforts toward increasing scientific interchange and cooperation . . .

Were Sakharov to be deprived of his opportunity to serve the Soviet people and humanity, it would be extremely difficult to imagine successful fulfillment of American pledges of binational scientific cooperation, the implementation of which is entirely dependent upon the voluntary effort and goodwill of our individual scientists and scientific institutions.

It would be calamitous indeed if the spirit of the detente were to be damaged by any further action taken against this gifted physicist who has contributed so much to the military security of the Soviet people and who now offers his wisdom and insights to that people and to the entire world in the interests of a better tomorrow for all mankind.

The National Academy of Sciences is to be commended on issuing this bold statement of humanitarian concern and solidarity with its Soviet counterpart.

I was therefore extremely dismayed to learn that HEW Secretary Weinberger, upon his return from a tour of health facilities in the Soviet Union and Poland, sharply criticized the National Academy of Sciences for sending this telegram and for "firing brickbats through the daily press." Secretary Weinberger declared that Soviet-American scientific cooperation must not be affected by what he described as "an internal Soviet affair." I totally reject this callous and shortsighted position which demands that we ignore actions which suppress intellectual freedom and stifle dissent. I would hope that this attitude does not represent the official position of the administration. If it does, there is all the more reason for the Senate to pass this resolution with particular urgency.

I would hope, rather, that this body will follow the lead of the American scientists and approve a resolution which would put the Senate on record as opposing Soviet repression and intimidation.

Mr. President, let me emphasize that these Soviet actions also violate the obligations of the Soviet Union under article 5 of the "International Convention on the Elimination of All Forms of Racial Discrimination," which was ratified by the Soviet Union in 1969. This section guarantees:

The right of everyone . . . to equality before the law, notably in the enjoyment of the following rights . . . the right to freedom of thought, conscience, and religion; the right to freedom of opinion and expression; and the right to freedom of peaceful assembly and association . . .

In addition, under article 19 of the "Universal Declaration of Human Rights"—a declaration that was unanimously adopted by the U.N. in 1948—

Everyone has the right to freedom of opin-

ion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of subject.

Last week, in ongoing trials against other Soviet dissidents, Soviet historian Pytor Yakir and economist Viktor Krasin gave chilling public confessions in which they admitted working for anti-Soviet organizations and receiving payment from Western journalists for distributing newsletters critical of the Soviet Union. For many, their memorized statements of guilt conjures up again the public confessions at the Stalinist public trials in the late 1930's and reminds us of the sham trials described by Arthur Koestler in "Darkness at Noon."

Mr. President, the pattern of persecution against dissidents closely parallels the persecution of those Jewish Soviet citizens whose only crime is to want to establish new lives in Israel. It also closely follows new incidents of government-sanctioned anti-Semitism, such as the shameless outbursts at the World University Games against Soviet Jews who voiced support for the Israeli team and against the Israeli basketball players themselves. The press reported that Soviet plainclothesmen roughed up Soviet Jews as they were leaving the games.

These most recent Kremlin crack-downs raise new questions about the importance of humanitarian concerns as detente with the Soviet Union is pursued. Solzhenitsyn's warning of "woe to any nation whose literature is cut off by the interposition of power" might eventually be heeded by the Soviet Union. But for now, this body must express its condemnation of such practices and urge that progress toward detente be accompanied by continued pressure on the Soviet Union for greater respect for human rights.

The resolution reads as follows:

Whereas, physicist Andrei Sakharov, novelist Alexander Solzhenitsyn, historian Pytor Yakir, economist Viktor Krasin, and other citizens of the Soviet Union have demonstrated enormous courage and intellectual honesty in advocating and defending the importance of fundamental civil and political liberty, the necessity for the free and unrepressed dissemination of ideas, and the meaning of basic human decency although faced with increasing harassment and imminent danger of criminal sanction; and

Whereas, the intensive and thorough campaign of the Soviet Government to intimidate and deter those who have spoken out against repression of political and intellectual dissent profoundly offends the conscience of a free people: Now, therefore be it

Resolved by the Senate, That it is the sense of the Senate that the President of the United States of America shall take immediate and determined steps to—

(1) impress upon the Soviet Government the grave concern of the American people with the intimidation of those within the Soviet Union who do not adhere to prevailing ideology; and

(2) call upon the Soviet Government to permit the free expression of ideas by all its citizens in accordance with the Soviet Constitution and the Universal Declaration of Human Rights; and

(3) use the medium of current negotiations with the Soviet Union as well as informal contacts with Soviet officials in an effort to secure an end to repression of dissent.

DEFENSE AUTHORIZATION BILL, 1974—AMENDMENTS

AMENDMENT NO. 475

(Ordered to be printed, and to lie on the table.)

Mr. BAYH. Mr. President, I am today submitting together with the distinguished senior Senator from Ohio, Mr. SAXBE, an amendment to H.R. 9286, the defense authorization bill, to delete continued funding for the Army's SAM-D missile system. The SAM-D's unit cost has escalated 350 percent since it was approved for development in 1967. It is seven times as expensive as the improved HAWK system it is supposed to replace, and the improved HAWK is a substantially new system just now beginning to be deployed. It is essentially a European weapon, justified for the protection of the 7th Army, yet our NATO allies have made it clear that they consider it much too sophisticated and expensive. Senator SAXBE and I have carefully reviewed studies of the SAM-D by the Research and Development Subcommittee and the General Accounting Office and are convinced that the SAM-D is precisely the type of "excessively expensive weapon system" which the Armed Services Committee in its report on this bill called upon the military to "resist."

This morning I testified before the Defense Appropriations Subcommittee setting forth in some detail what we believe to be the case against SAM-D. I ask unanimous consent that my testimony be printed at this point in the RECORD.

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

TESTIMONY OF SENATOR BIRCH BAYH

Mr. Chairman, I very much appreciate the opportunity which you and the members of your Subcommittee are today giving to the other members of the Appropriations Committee and of the Senate to express our views on defense expenditures. A few weeks ago, the United States finally brought to an end its involvement in the Indochina war—the longest and in many ways perhaps the most costly war in our history. This year, therefore, seems to me to be a particularly appropriate time for us to take a serious look at the level of resources we are devoting to national defense and whether these resources are being spent wisely. In spite of the fact that we have ended military operations in Indochina and in spite of the fact that we have taken a significant step with SALT I towards an arms accord with the Soviet Union, the level of defense expenditure continues to grow, this year by \$5.6 billion. I do not believe that such continued growth is necessary for the maintenance of a fully adequate defense posture.

As Secretary Packard, one of the most respected experts in this field, noted in 1969: "The most certain way to waste resources is to spend hundreds of millions of dollars on a development and then conclude we will not need what we are developing." Likewise, as the distinguished Chairman of the Armed Services Committee, Senator Stennis noted in 1971: "If we can afford a permanent force structure of only one-fifth as many fighter aircraft or tanks as our potential adversaries—because our systems are about five times more expensive than theirs—then a future crisis may find us at a sharp numerical disadvantage." Although Chairman Stennis was speaking in terms of aircraft and tanks, we clearly face a similar situation with regard to expenditures on air defense. The warnings of responsible defense officials and