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methods and quarrels with constitutional prerogatives the President deems unimpeachable.

The impeachment issue has thus burst outside the bounds of treason, high crimes and misdemeanors. It has spread into the political morass of how the country is to be governed, what the Constitution meant when it gave the presidency its great powers, whether Nixon's major policies are right or wrong, and, indeed, on subjective judgments of good and evil based on whether or not people like the cut of the President's jib.

A president is to be impeached because he has a legally reasoned and carefully prepared position on the foggy issue of executive privilege? Nonsense. He is to be impeached because he fired a member of the executive department? Unbelievable. He is to be impeached because he claimed war power which Congress does not have the votes to deny him? Bunk. He is to be impeached because he sought to protect the integrity of national security secrets? Debatable.

Then what can he be impeached for? He can be impeached for the criminal obstruction of justice which hasn't yet been proved and may be no more provable from the White House tapes when they are presented to the grand jury.

This is the issue which needs to be gotten on with quickly and cleared up once and for all. The rest of it is a massive political collision involving windy moralizing about the "capacity to govern" of a President who has just proved that he can govern under the most ominous circumstances.

The blather, fustian and exaggeration—called a "fire storm" in the hyperbole of those who wish to incinerate Nixon—has done as much to limit Nixon's ability to govern as anything he has done.

The symptoms of what has happened to the country, to which Kissinger referred, are those of a fevered, unreasoning patient wildly suspicious of his physician. Not until the fever subsides will the patient's judgment return.

In this case the way to get the fever down is to get to the seat of the ailment, the Watergate collusion, and proceed with radical treatment if justified. That means quick action on impeachment or none at all. The patient can't stand much more of the intermediate political procedure.

SENATOR MONDALE'S ADDRESS ON THE MIDDLE EAST

Mr. HUMPHREY. Mr. President, I wish to call to the attention of my colleagues the eloquent address of the senior Senator from Minnesota, Mr. MONDALE, before the Synagogue Council of America Statesman Award dinner on October 28.

Senator MONDALE proposed that the United States go beyond selling arms and provide nonmilitary economic aid to help Israel recover from its most costly and tragic war.

Senator MONDALE stated—

Since Israel must survive in peace as well as in war, it is only right that the United States join in the reconstruction and rehabilitation of Israel's economy, assuring that the social welfare of Israel's citizens need not be sacrificed upon the altar of military necessity.

He also pointed out that with paragraph 3 of the new cease-fire—

The United Nations has explicitly recognized, for the first time, that adversaries who do not communicate cannot make peace....

Mr. President, I ask unanimous consent that Mr. MONDALE's remarks be printed in the RECORD.

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

REMARKS OF SENATOR WALTER F. MONDALE BEFORE THE SYNAGOGUE COUNCIL IN NEW YORK CITY, OCTOBER 28, 1973

The guns of the Near East are silent, for now. But it will take more than this temporary respite for us to forget the horror and pain of the past three weeks. The mindless facts of the war are known, all too well, by those assembled here. But if we are to be able to respond to the new challenges which will confront the friends of Israel in the coming weeks, then it is essential that we understand the elements of the swarming attack which Israel has just weathered.

Consider what Israel faced:

A mighty military salient which forced her to fight simultaneously on two fronts against eleven Arab states;

A Soviet sea and airlift of advanced military equipment which allowed Arab commanders to squander hundreds of tanks and thousands of men with the full knowledge that gleaming replacements would be in the front lines the next day;

A cut-back in Arab oil production designed not so much to hurt America as to force our European and Japanese allies to apply pressure for an imposed settlement, so that their energy supplies might again be "secure;"

A diplomatic war to isolate Israel as an aggressive usurper of Arab lands and to force what six years of Arab obduracy could not achieve: a withdrawal to the pre-1967 borders with no guarantees of peace;

And finally, almost as an afterthought, a war of nerves and time, designed to ruin Israel's economy, dislocate her social welfare and slowly murder another generation of her sons.

If Israel's war is over, then the battles which Israel's friends must now fight are only beginning.

We have to fight for a genuine peace, a permanent settlement born of direct negotiations. An agreement which is signed and recognized, which will defuse future wars and result in an Israel fully accepted by her neighbors.

We must win the immediate release of the prisoners of war now held captive by Egypt and Syria.

We must struggle for a new definition of detente. A relationship which will be free from the apparent dishonesty which characterized Soviet behavior in the early days of the war... which will capture the real cooperation of interests which characterized the joint efforts for the cease-fire and the sending of a U.N. peace-keeping force which excluded the troops of the super-powers.

We must ward off those who would isolate America from her global responsibilities, and those who would isolate Israel from the world community.

We cannot allow our foreign policy to be subject to blackmail over oil. Our foreign policy must never be held hostage to economic interests. For where will it end? The time to face this issue is now—when the imports of oil from the Arab world amount to less than 7% of our total oil supply.

We must help in Israel's rehabilitation, working for needed grants and credits, so that Israel is not bankrupted by the aggression of others.

Foremost now is the question of peace. This war has cost far more than money, metal and men.

Let us hope that it has not deepened hostility and hardened hearts against peace.

But despite the lost opportunities and diminished flexibility, the present cease-fire resolution offers the best hope for a new communication and final agreement to the Arab-Israel conflict, even as the gun barrels are still cooling. Paragraph three of the resolution introduces a new concept: "The

Security Council... decides that immediately and concurrently with the cease-fire, negotiations start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East."

This is the key.

Although it was accepted by all parties to the Middle East conflict, Security Council Resolution 242 was always interpreted by the Arabs after 1967 as a dictate to the parties, forcing a withdrawal from the territories occupied after the Six-Day War. Israel always contended that the highly ambiguous terms of the resolution were to be implemented by negotiation.

With paragraph three of the new cease-fire, the United Nations has explicitly recognized, for the first time, that adversaries who do not communicate cannot make peace, that trust can only come from a dialectical process to which both Jews and Arabs contribute, and from which both will benefit.

The United States, having contributed this essential element to the cease-fire resolution, must not now abandon its principled stand, no matter how much pressure for expedient, jerry-built solutions we face.

This means no return to 1957, when the United States insisted on an Israeli withdrawal, and promised that Israel's security and freedom of passage through Suez and the Straits of Tiran would not be impaired. Israeli ships were seized in the canal only weeks later, and Israel's southern life-line was blockaded in 1967, leading inevitably to the Six-Day War.

A principled American stand means no Rogers Plan... with territory carved up in advance... and with a tenuous security imposed by the great powers.

A principled American stand means insistence upon meaningful talks—starting the negotiation process... seeing that it becomes a dynamic and constructive endeavor... keeping external politics out and holding tempers in.

A principled American stand means no imposed peace, no matter how convenient or cosmetic it appears. It means insistence upon a final settlement which did not merely end war, but established open borders, mutual recognition, regular channels of communication and the basis of cooperation for the welfare of all the residents of the area.

This time we must have a negotiated peace. This time we must have a recognized peace. This time we must have a secure peace. This time we must have a signed peace.

No longer can we wait for the next round of fighting to burst out, consuming young soldiers and poisoning more hearts.

This is our opportunity and our responsibility, and if the United Nations is unwilling to separate hostility towards Israel and obeisance to rhetoric from the imperative of communication, then the "appropriate auspices" under which the negotiations are to be conducted must be Great Power auspices.

This means the Soviets must help, and must be sincere in their desire for peace. And this is the second problem we must confront.

The fabric of detente has been stretched badly in the past three weeks. And we have seen how much we need the Soviets. To be able to send peace-keeping forces into the area. To build a new protocol of world relationships beyond the polarized hostility of the Cold War.

But there is much that must be transcended.

Since 1967 the Soviet Union trained the Arab armies for an offensive attack against Israel. The Soviets knew of the Arab plans for war, but did not inform the United States, something they were duty- and honor-bound to do under the Basic Principles signed in Moscow in 1972. The Russians first encouraged other Arab states to enter the war... then urged that the oil weapon be unleashed against the United States... and

then pledged total support to the Arab war effort.

They launched a mammoth resupply effort to aid the reeling Arab armies. They ignored pleas from the United States to moderate their airlift so that the larger concern of detente would not be endangered.

Such a distorted conception of detente mocked the spirit of peace and friendship.

But the ultimate cooperation between the United States and the Soviet Union in producing U.N. cease-fire resolutions and agreeing to introduce U.N. peace-keeping forces indicates that, hopefully, detente can survive the war.

Let us see no more airlifts, or subterfuges such as the 1970 cease-fire violation, when the U.S.S.R. erected the dense anti-aircraft network on the Suez Canal which took the lives of so many Israeli pilots in the first hours of the new war.

Instead, to convince this country that detente is not merely a ploy to be used to Soviet advantage, the U.S.S.R. can demonstrate its sincerity, now, by urging its Arab clients to sit down at the bargaining table they have shunned so long. By providing this irreplaceable keystone for the structure of a Middle East peace, the Soviet Union could, in one stroke, prove its devotion to meaningful detente.

But restoring the peace is not merely a function of waiting for the Soviets and the Arab states to move. Now, in the coming months, our 26-year commitment to Israel must be renewed.

This means the extension of financial assistance to Israel's war burdened economy. Since Israel must survive in peace as well as in war, it is only right that the United States join in the reconstruction and rehabilitation of Israel's economy, assuring that the social welfare of Israel's citizens need not be sacrificed upon the altar of military necessity.

So many lives have been lost, and for this, there can be no reparation.

Israel has only just begun calculating the other costs. First indications are that the figure of \$250 million per day previously estimated covers only part of the total, and the final figures will be much higher.

The American Jewish community has given selflessly to help shoulder this burden, as it has done in the past.

But this is not enough.

A small minority alone should not be expected to be the defenders of democracy nor should a small country be bankrupted because of the aggression of others.

In 1948, in 1956, in 1967, and in 1973, young Israelis died in defense of their homeland . . . never asking for the gift of our weapons nor the assistance of our manpower. Although more than 90 percent of all U.S. military assistance to many countries has been in the form of grants, Israel has never been the recipient of such grant aid.

Given the financial burdens under which Israel has labored—1,500,000 new immigrants to assimilate, the highest personal income tax level in the world—it is simply incredible that for 25 years Israel has borne the cost of its defense budget alone.

Thus, while the United States extended \$309 million in military grants to nine Arab countries, Israel was compelled to go deeply into debt to pay for her defense needs, incurring the highest per capita foreign currency debt in the world.

While the Soviet Union fueled the arms race in the Middle East, using the desert as a testing ground for its most advanced weapons, American military assistance to Israel was restrained.

While France and England supplied Libya, Kuwait, and Iraq with weapons which were transferred to the supposedly embargoed belligerents, Israel was refused the spare parts for which she had contracted.

But there was a limit to how much armor one Israeli tank could repulse, or how many SA-6 missiles one Phantom pilot could dodge. Contemplating the limited sources of military supplies which Israel could draw upon, many asked, rightfully and bitterly:

How many Israeli soldiers must die before parity is achieved?

Thus in the first days of the war, the Administration hesitated to provide Israel with a resupply of weapons until it became clear that the Soviet Union was reinforcing the Arab armies with a full-tilt airlift of equipment. The United States recognized Israel's urgent need, and began rushing material vital to her survival.

In the Senate, I joined with 67 of my colleagues in introducing a resolution urging that this policy be continued and that Israel's requirements for her security be met.

Now the Congress has an opportunity to assert, in the most meaningful manner, a helping hand to our fellow democracy. Last week, the President asked Congress for \$2.2 billion of emergency security assistance for Israel to help defray the cost of military equipment delivered to Israel since October 6, and equipment still to be delivered.

I am confident that Congress will swiftly approve this request.

I pledge to you my wholehearted support for its passage.

I am proud to join in this concrete manifestation of America's partnership with Israel.

American support for Israel derives from many sources, some of these the most sober calculations of *Realpolitik*—Israel's strategic location as a bulwark against Soviet entry into the Middle East, her traditional role as a stabilizing force in the region, contributing to the security of others in the area, and as simply one republic able to stand and protect herself, and thus aid America's global interests. These calculations are valid and significant. I accept them.

But I believe there are more profound reasons for the traditionally close relationship between the United States and Israel. These are reasons which will not change with the price of oil, the status of Soviet-American commercial dealings, or any developing trend of neo-isolationism and disengagement.

These reasons are embedded in Israel's unique position in the world community and they must be recounted, so they are not forgotten.

There are few nations which adhere to the American democratic and progressive tradition as closely as Israel. And there is no nation which has emulated America's example of being a haven unto the oppressed as Israel has.

In a pattern we Americans know well, the State of Israel took immigrants of a hundred lands, and moulded them into a nation, and made them full participants in one of the world's most spirited democracies. Israel is a genuine democracy, a progressive cooperative society, and as such she deserves our support.

But beyond *this*, there is the stark fact that Israel is the refuge of the survivors of that greatest of all tragedies, the Holocaust.

I believe it is impossible to understand Israel's struggle for survival at this very *minute* in 1973 without a constant awareness of the events of the Nazi years.

It was that awareness that led Americans after World War II to support overwhelmingly the right of the Jewish survivors to take control of their own destiny in the State of Israel. That has not changed.

So in the time of testing ahead, America will stand firm with Israel. Her principles are our principles. The isolation which confronts Israel in the world and the United States and Israel at the United Nations will have to be borne until a lasting and genuine solution

is achieved. We will not surrender to expediency. We will be steadfast in our devotion to the basic goal, brotherhood and harmony in the Middle East.

Let us achieve it together. Let us hope that the hour has finally come.

MR. NIXON AND THE RULE OF LAW

Mr. MOSS. Mr. President, this past year, and the last 10 days in particular, have not been the best of times for our Republic, and it would be foolish to minimize the magnitude of our present crisis. I believe we are now undergoing the most severe domestic test since the Nation was torn apart by the Civil War. At stake is the very future of our Republic. At stake is our future as a free and open society ruled by a government of laws and not of men.

But even in times such as these, it is possible—indeed, it is imperative—to face the future with hope and determination. We are undergoing a severe test, but I firmly believe not only that our Nation will survive, but that our Republic as a government of laws will prevail. For, despite the present turmoil, I believe in the enduring strength of our system of government, and in the good sense and decency of the American people.

In his press conference last Thursday, Secretary of State Kissinger spoke of "crises of authority in our society." In my view, it would be more accurate to describe the most recent events, not as a crisis in authority, but as a crisis in the Presidency. For, in American society, the President is by no means the final authority, and the limits of Presidential authority have been dramatically illustrated in the events of the past 10 days.

Three men of good conscience in the Justice Department have left the Government rather than submit to President Nixon's willful attempt to circumvent a court order and abrogate agreements made with the U.S. Senate. And the American people have responded with the greatest demonstration of public outrage that I have seen in my 15 years in the Senate.

As a result of this strong, unprecedented public reaction, President Nixon was forced to surrender the tapes in accordance with the court order. He was forced to conclude that, on the matter of the tapes, he would have to obey the law just as any other American citizen. I believe that the surrender of the tapes was a clear demonstration of the law-abiding instincts of the American people, and a vindication of the supremacy of law in our constitutional system.

I just wish that we could now say that the supremacy of the law has been established, that our Constitution is intact, and that it is possible to put Watergate behind us and move on to other matters. But quite obviously, this course is not possible at this time, and we would be derelict in our duties as elected officials and as American citizens if we attempted to ignore or minimize the present crisis in the Presidency.

Unfortunately, there is no evidence that anyone in the White House has learned the basic lesson in American civics that was so vividly illustrated in