

SENATE—Thursday, January 10, 1980

(Legislative day of Thursday, January 3, 1980)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Acting President pro tempore, Hon. BILL BRADLEY, a Senator from the State of New Jersey.

PRAYER

The Reverend Ernest T. Gatta, St. Bernard's Catholic Church, Riverdale, Md., offered the following prayer:

Let us direct our minds and hearts to God who is always present to His people.

God of all graciousness, may Your face shine on this assembly as they carry the responsibility of leading this blessed country in the ways of justice and peace.

Send them the Spirit of wisdom and understanding to discern Your will in all their deliberations; the Spirit of fortitude and courage to strengthen their resolve of leadership in the service of Your people; the Spirit of reverence so that Your will may hold priority in their lives and their decisionmaking.

We thank You for the blessings of harmony, joy, peace, and prosperity with which You have graced our Nation in the past. We seek Your hand of blessing today and in time to come. Blessed be Your name now and forever. Amen.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Chirton, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session, the Acting President pro tempore (Mr. BRADLEY) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

ADDITIONAL STATEMENTS

WEST VIRGINIA COMMISSIONER OF AGRICULTURE DISCUSSES FARM ENERGY USES—AGRI-ENERGY ROUNDTABLE TO BE HELD SOON

● Mr. RANDOLPH. Mr. President, over the past several years we Americans have watched the cost of energy and its many byproducts rising continually as a major force in the inflationary spiral. One of the most important, yet least understood, of energy's interrelationships is its interaction with agricultural production.

Agriculture is one of our most efficient fuel consumption sectors. For example, it is not generally recognized that 3 percent of the total energy consumed in the United States is used in agriculture. Yet, at the same time, American agriculture feeds our Nation and many addi-

tional millions of people all over the world. Energy price hikes and shortages could threaten this production.

Last month's OPEC meeting in Caracas and the need to accelerate alternate fuel source development are cause for us to focus on these energy/agriculture relationships in the decade ahead. Utilization of synthetic fuels and the conversion of agricultural products to energy are two important examples. Agriculture and technology, as great strengths of our economic system, could also be utilized to forge new cooperative relationships with the energy-rich nations.

I understand these subjects will be studied in a conference, the Agri-Energy Roundtable, which will convene agricultural leaders from all over the world with U.S. agribusinessmen, February 7-9, in New Orleans.

At the same time, we can better understand the future agri-energy balance by reading a realistic article by Gus R. Douglass, commissioner of agriculture for the State of West Virginia.

The article follows:

FARM ENERGY USES

Energy conservation has been a national necessity for some time, but the "Iranian situation" is again calling it to our attention.

Energy from fuels is used in agriculture because it is profitable to do so. One indication of why is that statistics indicate that for the amount of work done labor is more than 800 times as expensive as is energy used in the form of electricity.

Approximately 3% of the total energy consumed in the United States, less than the amount used to fuel jet aircraft, is used in production agriculture. In 20 years, this has enabled American agriculture to feed an additional 50 million persons while cutting labor requirements in half.

It's vital that production agriculture be given a Number 1 priority status in any program established to ration fuels. To do less will ultimately result in domestic food shortages, and the attendant problems, and a lessening of food exports, which now pays for the bulk of the country's oil imports.

But, if it becomes necessary to ration fuel and the farm segment of the economy is given the needed priority status, the farmer must do his very best to use it wisely. Since the best place to conserve is in areas where large amounts of fuel are used, this means a step-by-step analysis of all farm operations. Let's do it now.

Energy is used in West Virginia's agriculture in about the same ways and amounts as in American agriculture. One reference says that the largest energy use is for fertilizer—35% of the total energy used on the farms. One reason is that nitrogen fertilizer is nearly all made from natural gas. To save, farmers should test their soil before each application, calibrate their equipment accurately and make more efficient use of manure. Another main use is in cars and trucks—20%. Here, we can help by selecting economical vehicles, by maintaining and servicing them regularly and by asking "Is this trip necessary?" before each departure. Overall field operations account for about 20% of the fuel used. To cut

it back, we need to maintain and service our tractors regularly, match tractor power to implement requirements, use proper ballasting to control, slippage and gear up and throttle down. In harvesting, which utilizes a big 12%, we need to select, operate and maintain equipment carefully. As an example, silage systems use only half the labor of hay-feeding systems, but they require at least twice the energy. The question is "Which is best for our specific needs?" Other ways to reduce on-the-farm energy consumption is to consider reduced tillage, to apply pesticides carefully and only when needed, to consider high moisture corn and crib drying of ear corn as alternatives to fuel-using drying systems, and for those practicing irrigation to do so only when and only as much as is needed.

The cost of energy is going to rise continually. We will never again have as much oil or gas; nuclear energy has been a disappointment, and solar energy will be quite expensive and slow in developing. We, as farmers, need to practice conservation in every way we can so that should rationing become necessary, we can get and maintain the Number 1 priority needed to produce the food this country must have. ●

THE GREAT IDEAS PROGRAM

● Mr. TALMADGE. Mr. President, I wish to take this opportunity to commend the Container Corp. of America on the 30th anniversary of its great ideas program, a unique advertising series built upon the moral, philosophical, and political principles of many of the world's most outstanding thinkers and doers throughout the history of civilization.

In a significant and innovative union of art and business with great ideas of Western man—and as a public service—the Container Corp., since launching the program in February 1950, has commissioned 198 paintings, graphics, and sculpture for the great ideas advertising series. In addition to appearing in national magazines and periodicals, they have been exhibited in 118 galleries and museums throughout the world and viewed by more than 1 million people in the United States, Europe, and Latin America.

I am very pleased that the Container Corp. is bringing its great ideas art exhibit to Atlanta in January and I know that this outstanding and unique collection based on visual interpretations of philosophical ideals, which have guided mankind for centuries, will be a source of inspiration to the people of Atlanta and all Georgians who have an opportunity to see it.

There will be two special preview receptions, the first on January 18 in connection with the city's annual Beaux Arts Ball and another special government preview on January 20 for the Georgia General Assembly, now in session, and other officers and members of the State government.

I commend this exhibit to all Georgians and thank the Container Corp. for making it possible. The great ideas program demonstrates concern about

the human condition that we all share and has done much over the past three decades to expand the imagination and uplift the spirit.●

S. 521—A BILL TO PROVIDE PAYMENTS FOR LOSSES INCURRED AS A RESULT OF THE BAN ON THE CHEMICAL TRIS

● Mr. THURMOND. Mr. President, on December 20, 1979, the Senate passed S. 521, a bill that would allow manufacturers of children's sleepwear to pursue in the U.S. Court of Claims their claims for losses incurred because of the ban by the Government on the chemical flame-retardant Tris.

When the report accompanying that bill was filed in the Senate, two items that are required to be included in the report were inadvertently left out of the printed version of the report. Although I do not believe it is necessary to request a star print of the report because the bill has passed the Senate, I submit the following materials for printing in the RECORD in regard to S. 521:

REGULATORY IMPACT

The Committee in its consideration of S. 521 has determined that there would be no adverse regulatory impact on the Federal Government as a result of its enactment.

To the contrary, the Committee believes that the passage of this legislation will result in a substantial savings to the Government. The effect of the bill is to consolidate in the United States Court of Claims all outstanding claims that may have arisen as a result of the Government's ban on the chemical Tris. Without this legislation, individual companies who believe they have meritorious claims would be left with the prospect of filing separate lawsuits against the Government in the Federal judicial district where they are situated. Thus, absent S. 521, a multiplicity of lawsuits could result which would further tie up the Federal courts and result in a substantial cost to the taxpayers. Therefore, the Committee has concluded that enactment of S. 521 would have no adverse regulatory impact on the Federal Government.

CONGRESSIONAL BUDGET OFFICE, Washington, D.C., December 19, 1979.

Hon. EDWARD M. KENNEDY,
Chairman, Committee on the Judiciary,
Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate for S. 521, a bill to provide for the payment of losses incurred as a result of the ban on the use of the chemical Tris in apparel, fabric, yarn or fiber, and for other purposes.

Should the Committee so desire, we would be pleased to provide further details on this estimate.

Sincerely,

ALICE M. RIVLIN,
Director.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: S. 521.
2. Bill title: A bill to provide for the payment of losses incurred as a result of the ban on the use of the chemical Tris in apparel, fabric, yarn or fiber and for other purposes.
3. Bill status: As ordered reported by the Senate Committee on the Judiciary, December 18, 1979.

4. Bill purpose: The bill authorizes the U.S. Court of Claims to hear, determine and render judgment upon any claim by a producer, manufacturer, distributor, or retailer of children's sleepwear for losses due to the government's ban on Tris-treated apparel issued on April 8, 1977. Payment for such judgments is to be made in the same manner as any other claims filed in the court.

5. Cost estimate:

Payments for claims (maximum)

[By fiscal years, in millions of dollars]

1980	-----	---
1981	-----	25
1982	-----	26
1983	-----	---
1984	-----	---

The costs of this bill fall within budget function 800.

6. Basis of estimate:

The table above indicates the maximum cost to the government of this bill. The actual cost will depend on the extent to which claims are filed and on the magnitude of these claims. It is expected that claims will be entered for most of the 100 to 110 children's sleepwear producers but that many of the small producers may not file claims. Therefore, actual payments are expected to range from 60 to 80 percent of the maximum cost shown above.

Based on a 1978 survey by the American Apparel Manufacturers Association, it is estimated that the actual losses suffered by children's sleepwear manufacturers totaled approximately \$50 million. It is estimated that retailers currently have in stock Tris-treated apparel which costs approximately \$1 million. Because of the time needed to prepare the litigation, and the provision in the bill which requires all claims to be filed within two years after enactment, it is assumed that 50 percent of these amounts will be awarded in 1981 and 50 percent in 1982.

7. Estimate comparison: None.

8. Previous CBO estimate: None.

9. Estimate prepared by: Mike Horton (225-7760).

10. Estimate approved by: James Blum.

JAMES L. BLUM,
Assistant Director
for Budget Analysis.●

REFLECTIONS ON U.S. FOREIGN POLICY

● Mr. MOYNIHAN. Mr. President, there is a quality to large events such that often they can be described in simple words. Woodrow Wilson began his first Inaugural Address 77 years ago with the plain statement: "There has been a change of government."

In just such simple terms it may be stated that there has been a change in American foreign policy. This change has been initiated by President Carter. It is my purpose to declare my support, as one Senator, for what he has done and to offer some thoughts as to what now should follow.

The change, of course, has to do with our relationship with the Soviet Union. It has been the deepest purpose of American foreign policy in this period to reach an accommodation with the rulers of that nation, to establish a "code of détente" by which our respective actions would be as little threatening and unpredictable as possible, and above all to bring stability and finally reductions in our respective strategic nuclear forces. The President's letter of January 3, 1980 to the majority leader, Sen-

ator BYRD, requesting that consideration of the SALT II treaty be delayed may be regarded as the precise moment when this fundamental change took place. In the aftermath of the Soviet invasion of Afghanistan the President had no choice save to make this proposal, and the Senate will have no choice save to accede.

There will be a tendency to think of our policy as reverting now to an earlier stage, that of the cold war as it was termed. This would be a profound error. For just as the term denotes, that earlier period was one of relative immobility, even stalemate. It was a period of maneuver without essential movement. A great burst of Soviet expansion had been contained; was stopped. American military and economic power was sufficient to that purpose; and just as importantly so was the morale of this Nation and the prestige of our institutions.

So much was this the case that the time came when it seemed both reasonable and eminently desirable that Soviet intentions might themselves change, and the imbalance of power between our nations might become less salient in our relations. All such hopes came to a crashing end in Kabul on December 24, 1979.

There will be a tendency also to look back upon these hopes as illusions, and perhaps especially to indict the President for having embraced them with an intensity that partook of the passionate. It seems to me, however, that any such indictment must fail. If it be said of the President that his hopes for the success of a policy of accommodation were more than the evidence might have warranted, then so be it. If it be said of the Secretary of State that he genuinely felt that President Carter and Chairman Brezhnev shared "similar dreams and aspirations" about the future of the world, let that stand also. Would they be forgiven if they had thought the opposite and had been wrong? No. Our failings, if they have been failings, have been of the category which Dr. Johnson described as the triumph of hope over experience. As at no time since Winston Churchill said it in the darkest moments of the Second World War, if we open up a war between the present and the past, we will surely lose the future.

But what of this future? Here I would ask to be permitted a quite small diversion from the point I have just made for a limited but in my view utterly essential point.

For some time now there have been those of us who have contended that the steady expansion of Soviet military strength was incompatible with a policy of peacemaking, and that elemental prudence dictated that we should pay attention more to what they did than to what they said. This was a view which I believe in retrospect we will come to see as more widely held than was generally recognized. In an address I gave at the Naval Academy in March of 1979 I cited a white paper of the British Ministry of Defense released the previous month. Speaking of Soviet arms the white paper declared:

The growth in quantity in the Soviet forces, together with continued qualitative improvements, has extended their capability well beyond what can be considered necessary for purely defensive purposes.

During this period, which is to say the 1970's, there was a corresponding decline in the quantity, perhaps even in the quality of American and allied forces. This too was the subject of increasing comment.

This is the object of my diversion. In the course of that decade a body of opinion grew which held that a principal source of instability in the world was the excess of American power. This was not a hallucination. For some years—decades even—American world power had been unprecedented. That power of such extent is an invitation to excess is hardly an indefensible view. But it ceased to be a relevant one as the reality of American power declined. That this new reality was slow in impressing itself upon us is nothing new in human affairs.

But it is indispensable to the survival of the West that it should now do so. And this then is our moment of maximum peril. For it is entirely possible that those who have until now so deplored the extent of American power, will now be tempted to wield a fantacized power which once so obsessed them. Let no one misunderstand this point. American power is enormous; the American will to use it is unshaken. It is simply, in relative terms less than it has been, and less than it will be in the not far distant future.

It will be both the irony and the gravest reality of the time now ahead that the counsel of restraint in foreign affairs must come from those who have been depicted in the recent past as somehow the most bellicose. I put it plainly: when we spoke of danger we meant just that. May I refer to an article in the New York Times of this past Monday, January 7, by Drew Middleton who in a career of distinguished journalism has cast a cold eye on more crises than just this most recent. The headline stated: "U.S. Military Can Match Soviet, Officials Say, But Not Before 1990."

At the risk of seeming contradiction—and we shall face worse risks than this—I would turn to rather the opposite of the temptation I have just described. On January 7 we also learned of the proposal the Secretary of Defense made a day earlier in Peking that China and the United States join in finding complementary actions to counter Russian expansion. The proposal evidently took the Chinese leaders by surprise, and so also, I believe, the American people. Certainly the terms in which the matter was raised surprised the journalists reporting the visit. One has written that Dr. Brown's banquet toast was so vehement he almost seemed to have taken his text from a New China News Agency denunciation of Moscow.

Can it be that in yet other circles of government the perception of American weakness is so advanced that in response to the Soviet conquest of Afghanistan we turn for help to the people who conquered Tibet?

If we so underestimate our power, we are more surely ruined than if we overestimate it.

And this, for what the Senate may make of it, is the heart of my contention. For the power of the United States rests upon and derives from the ideas we represent: In international affairs from the standards of conduct which we aver and which we seek to uphold.

For three generations now—for somewhat more than seven decades—these standards have been under more or less unremitting assault from totalitarianism. There have been peaks and valleys, slow times and crisis times; the assault has sometimes come from the totalitarian right, but in the first instance, and most often, and now exclusively from the totalitarian left. It may be we have grown used to this and no longer see it for the changed condition it represents. Certainly this Chamber will have become used to hearing from me that the high point of the influence of democratic ideals in the world came toward the end of Woodrow Wilson's presidency. No man before and none since has been so looked to in the world at large. Never before and never since has the expectation been so widespread that liberal democracy would become a near universal form of government. For totalitarianism had appeared in Russia in a second revolution, following an earlier, democratic one, all in 1917.

In one way or another we have been locked in ideological struggle ever since; and we will continue so. Recurrently there have been those who have hoped to see an end to this struggle, who have questioned whether its origin does not lie in the behavior—admittedly often squalid—of the democracies. Or, the most dangerous temptation of all, there have been those who would distinguish among totalitarian regimes, preferring some to others, or positively siding with some against others.

The recent American past has provided more than a few examples of each of these tendencies, but to repeat, none that is more dangerous than the last. It is the danger best summarized by George Orwell's characterization of those persons in Europe in the 1930's who wished to be anti-Fascist without being antitotalitarian. It is a lie in the soul and it destroys.

Playing the Chinese card, as it is termed, as if this were all one great game of chance, is the central instance of that tendency in our time. I think it is fair to say of the American position in world affairs in recent years that we have had principles without policy. An excess of principle and a shortage of policy. Is it now to be the reverse?

Policy is principle in action. If it is a lesser calling in the divine order of things, it is of considerably larger significance in what is known as the real world. The object of policy is to make one's nation understood. George Will is only the most recent commentator to note that the Soviets have been obliging in this as in no comparable matter. For seven decades they have declared their purpose to see their principles which we define as totalitarian, prevail the world

over. As a result, the essentials of world politics have not changed for decades. Every postwar administration has understood them, or has come to understand them. They are that the Soviet Union is an implacable, dangerous enemy—not a potential adversary—that the Soviets will advance just as far as we, the United States, allow them; that American weakness in this regard, not American strength, threatens world stability and peace; and that only with forceful U.S. leadership can governments based on liberty be defended and hope to prevail.

The essential task of leadership, then, is so to expound American policy that its connection with our principles is made clear, and its application in practical circumstances is made predictable.

This President Carter has yet to do. I do not fault him; the transformation has been sudden. But much more must be forthcoming, and something in the administration resists this. After all, if the transformation was sudden, the buildup to it was gradual and the need for some accounting for changed views has been plain for some time.

Consider the matter of defense expenditures. I was a member of the Democratic Platform Committee in 1976 and well recall the letter received from the President, then a candidate, in which he declared:

Without endangering the defense of our nation or our commitments to our allies, we can reduce present defense expenditures by about \$5 billion to \$7 billion annually.

Since then, as administration spokesmen increasingly point out, the President has in fact raised the defense budget each year, and is the only President in memory to do so in peacetime. I have supported him in this, as has the majority of the Senate. But there came a time when something was required by way of explanation, some accounting for a point of view honestly held and honestly revised.

On September 19 I spoke to this point at some length as the Senate debated the President's proposal for a true 3 percent increase in the 1980 defense budget:

The fact is that those in charge of policy today seem to be changing their minds. A great shift is taking place.

I then asked if we could not hear from the President on this point: "What has he learned to change his mind? * * * We need to hear from him."

Would it be wrong to state that so far we have not? Which does not mean we will not. The State of the Union address no doubt will be focused on military and strategic issues. But we may hope also to hear more of what the President now proposes as foreign policy.

In particular we may hope to hear that the events of the past few months have brought into place an explicit and enduring policy; one that will persist in the face of the huge political difficulties, already in evidence, it will make for the President here at home and the difficulties it will cause abroad, particularly as the Soviets begin their spring peace offensive and once again commence to depict the United States as the primary

menace to the sovereignty of small nations around the world.

Henry Kissinger has put this well. We and the world need to know "what the countries who rely on us can expect of us and what we can expect of them." What, I would add, can countries which do not share particularly close ties with us, such as China, expect of us and we of them. We do not depend on one another in any ideological sense. The Chinese regime is as totalitarian and oppressive as any on Earth. But in certain circumstances no doubt there are "parallel actions" which we can undertake. Let them be understood, and in particular let them be understood as an undertaking with a regime whose practices we in no way condone. Else let us have no further complaints that the French do not seem to share the thrill of it all.

Clearly it is even more important that the Soviets themselves should know what they can expect of us and what, in a general sense, we expect of them. Here I would offer a final complexity. The Soviets will have reason to be surprised: even, to their view, offended by the response of the President to their invasion of Afghanistan. There has been a succession of events of not less magnitude—sending the Cuban Army to Africa was a logistic and strategic decision of perhaps even greater magnitudes—to which there has been little or no American response. Most emphatically this sequence did not begin with this administration. Indeed in the early days of this administration a Presidential aide was quoted as saying that the Soviets had "viewed the United States under the Ford and Nixon administrations * * * as running a kind of defensive, rear-guard foreign policy of retreat."

What did change with this administration was the term in which we described these policies. Or to put it differently, our behavior did not change, but our pronouncements became more consistent with that behavior, with the effect of making it seem more a matter of policy in place. This was first signaled, of course, in the President's commencement address at Notre Dame on May 22, 1977:

Being confident of our own future, we are now free of that inordinate fear of communism which once led us to embrace any dictator who joined us in that fear. I'm glad that that's being changed.

For too many years, we've been willing to adopt the flawed and erroneous principles and tactics of our adversaries, sometimes abandoning our own values for theirs. We've fought fire with fire, never thinking that fire is better quenched with water. This approach failed, with Vietnam the best example of its intellectual and moral poverty...

Our policy during this period was guided by two principles: a belief that Soviet expansion was almost inevitable but that it must be contained... Historical trends have weakened its foundation. The unifying threat of conflict with the Soviet Union has become less intensive...

The Vietnamese war produced a profound moral crisis, sapping worldwide faith in our own policy and our system of life, a crisis of

confidence made even more grave by the covert pessimism of some of our leaders.

... We can no longer separate the traditional issues of war and peace from the new global questions of justice, equity, and human rights.

Now, I believe in détente with the Soviet Union. To me it means progress toward peace. But the effects of détente should not be limited to our own two countries alone. We hope to persuade the Soviet Union that one country cannot impose its system of society upon another, either through direct military intervention or through the use of a client state's military force, as was the case with Cuban intervention in Angola.

The President proposed that the sterile conflict of East versus West give way to a new era of cooperation in narrowing the great economic gulf that separated North from South.

Three weeks later, on June 9, 1977, I gave the commencement address at Baruch College in New York City and I addressed this matter in terms which I hope were as respectful and admiring as these today, but which I see now were not understood if indeed they were even heard:

Eight years ago, at a very different time, it fell to me to give the commencement address at the University of Notre Dame. It will recall the temper of the times if I tell you I published it in *The American Scholar* under the title "Politics as the Art of the Impossible." Further, that I took as my theme a sentence from the French theologian Georges Bernanos: "The worst, the most corrupting, lies are problems poorly stated."

In a spirit of respect and affection, I would like to put this test to some of the principal themes of President Carter's recent commencement address at Notre Dame which was devoted to the subject of foreign policy. It was a major address, his first comprehensive statement of the administration's views, and has been the subject of wide comment...

In listing the basic premises of American policy, he declared:

First, we have reaffirmed America's commitment to human rights as a fundamental tenet of our foreign policy.

This is everything I could hope to hear from an American President.

But the matter cannot stop there. The next question is what this commitment requires of us, and where. Here the President leads where I for one would not wish to follow—and I genuinely wonder whether he fully intends what he plainly proposes. The central thrust of his speech has to do with the developing world, and its central proposition as follows:

"Abraham Lincoln said that our nation could not exist half slave and half free. We know that a peaceful world cannot long exist one-third rich and two-thirds hungry."

This is a most startling and extraordinary transition. His first sentence reminds us, truly, that by human standards, the world today is half slave and half free. Out of four billion persons, something approaching a billion and a half live in totalitarian Marxist states. We have come to think of this opposition in East-West terms.

But all of a sudden the President directs our concern to quite a different matter, that of relations between the industrial North and the developing South. Indeed, he calls on the Soviets, as part of the former group, to join in "common aid efforts" to help the latter.

It is—as if with no further consideration—we should divert our attention from the cen-

tral political struggle of our time—that between liberal democracy and totalitarian Communism—and focus instead on something else.

And, are not the consequences of such a transposition already apparent in other places in the President's speech? He says that we are now "free" of our "inordinate fear of Communism...," a fear, which led us at times to abandon our values for the values of the totalitarians, which in turn led us to the "intellectual and moral poverty" of the war in Vietnam.

Now, it is not that one ought to have an inordinate fear of anything that causes me to wonder whether this characterization of our experience in Vietnam is quite so self-evident. Neither the Secretary of State (then Deputy Secretary of Defense) nor the Secretary of Defense (then Secretary of the Air Force)—men who at one time or another directed the Vietnam enterprise—are men one readily associates with "intellectual and moral poverty." That the enterprise was doomed, we need not dispute. Some of us said so at the time. But must we so readily embrace what is so very near to our adversaries' depiction of our purposes?

And, perhaps of greater importance, to whom does the President refer when he says that through the failure of Vietnam, we have found our way back to our own principles and values, and we have regained our lost confidence.

Is this really so, or have we merely regained our composure by an addictive and deepening habit of avoiding reality? For if you say that we never should have fought the war in Vietnam, it is possible to avoid having to face the fact that we lost it.

All manner of defeats can be avoided in that way. We tell ourselves the nation faces an energy crisis. But we do not tell ourselves that this problem has come about through a massive defeat in foreign policy, which is to say the successful quadrupling of oil prices by the OPEC oil cartel at the time of the 1973 Mid-East war. A foreign cartel restricts supply: we tell ourselves that a problem of supply is a problem of demand. A foreign cartel raises the price: we tell ourselves that a problem of price is a problem of profligacy.

The President, in my view, is entirely correct in the fresh emphasis he has given to what we call North-South relations. But I wish to suggest that this must not be allowed to divert us from the reality of the military and ideological competition with the Soviet Union which continues and, if anything, escalates. I cite Michael Novak on what he calls the "significantly growing imperial power of the Soviet Union."

It is difficult for one who is a liberal to try to sound alarms about grave military dangers. Yet there are such dangers. If we do not awaken from our slumber soon, Israel may be lost and much of Europe, too.

And there is a further consideration. If we genuinely care about the developing world, then we must look to the behavior of the Soviet Union, for with respect to the non-Communist regions of the world, be they developed or undeveloped, there is one Soviet policy: the worse the better. I speak from what is no longer a brief experience of international affairs. In nation after nation, at conference after conference, what the Soviets seek is failure, breakdown, bitterness, mistrust. They judge that they thrive on this, and history certainly does not disprove them. Our task is twofold. First, to see this ourselves. It is not necessarily a confidence building exercise, but it is indispensable. Second, to bring the developing Nations to see it as well. This is never easy. It is at times excruciatingly painful, and ensures a good deal of near term obloquy. But it is the true measure of commitment.

I would not much change those words today, but I would add to them the complexity to which I have alluded. This has to do with the mounting evidence that the Soviet Union is a seriously troubled, even sick society. The indices of economic stagnation and even decline are extraordinary. The indices of social disorder—social pathology is not too strong a term—are even more so. In a symposium which *Newsweek* recently sponsored on the 1980's I was so bold as to suggest that the defining event of the decade might well be the breakup of the Soviet Empire. But that, I continued, could also be the defining danger of the decade. There is a Western expression: "as mean as a gut-shot grizzly." There is something about the behavior of the Soviets that does indeed suggest a wounded bear, and all the more then is an ordinate fear of communism quite in order for the present and for much time to come.

This brings me now to some brief conclusions which I address as much or more to the Senate as to the administration.

The first is that if we have entered a period of new realism and resolve in our relations with Soviets, then it is quite out of the question that we should simply drop the SALT II treaty, and the whole subject of strategic arms and move on eagerly to a debate of the merits of the Federal Trade Commission.

This would verge on the irresponsible, on the avoidance of difficulty. It would be the worst possible signal to send friend or foe.

We must not allow ourselves to pretend that the President asked us to defer the treaty. He asked us to withdraw it. It will not now be considered by this Congress. The highest and foremost of his foreign policy objectives has been dropped for now, and possibly for good.

This has the makings of a disaster.

We all know why the President acted as he did. It is because we did not have the votes to adopt a resolution of ratification. We did not have them before Afghanistan, and it was only more evident that we did not have them afterward. As a supporter of the treaty—a qualified supporter, I will admit, for I much wanted to see if we could strengthen the likelihood of obtaining "significant and substantial" reductions in SALT III—I have sat for many hours with the majority whip, Senator CRANSTON, counting our votes, and at no time did we have anywhere near the two-thirds we needed. Before Afghanistan.

It seems to me absolutely in order that when the Senate begins the second session we devote a week, if not two, if not three, to reviewing this experience and asking what are we to do now. We should expect to hear from the President on the subject.

In the simplest terms, we were in the process of shaping our strategic forces for the rest of this century according to what would and would not be compatible with the terms of SALT II. It seemed to me, as one Senator, that a good deal of distortion resulted from this exercise. The MX, in my view, is an absurd and dangerous weapons system. Far better to

go to sea. But the MX was possible under SALT II. First, because one new system was permitted. Second because the limitations on warheads and missiles themselves would have made it impossible to neutralize the MX as planned. What of these arrangements, these plans? Are they to be scrapped? Or what? Will the Soviets resume testing greater fractionation limits; more than one system? Or will they wait for us? Or what? And what will we do?

But there is an even prior question. Many of us have remarked to one another that had there been a secret vote on the Panama Canal treaties they would have passed by a margin of 88 to 11 or something such. Most Senators thought the treaties were sound; some understandably and legitimately felt that their constituencies did not and that their constituencies ought to have a say in how they voted. By contrast, I doubt if a secret ballot on SALT would have received 50 votes in the last days of the first session of this Congress. Why? In part because of the deep distress which so many of us felt when we learned just how little the treaty would actually limit strategic arms. (Indeed, how much it provided for their increase.)

There is, of course, another case to be made for such agreements: an open acknowledgment such as one arms control student has written that "SALT II is not an arms control agreement, but one that primarily ensures the orderly accounting of the strategic forces of one signatory party by the other." Is that something we should think more about? Was it the administration's rhetoric that was flawed, more than its agreement?

Whatever the case, this surely is not a matter which we can record as having been disposed of simply because we have decided not to deal with it.

A second issue, obviously, is that of Middle Eastern oil. The Soviets have been pursuing a deliberate geopolitical course of enveloping it in a giant pincer movement. They are now, or shortly will be, on the borders of the Iranian Baluchistan and the pincer is all but completed. The only way we can have any reason to suppose they will not soon move toward the oil fields of the gulf—a move which their economy may make desperately desirable in a handful of years—is to make equally clear that we will stop them.

The only way we can make this clear is to deploy the arms capable of doing so. To say more is to compound the obvious, and in my case to enter a realm of strategy in which there are Members of this body who possess far more expertise than I.

A third issue has to do with our interpretation of the Soviet decision to invade Afghanistan. It was scarcely their first interference there. It happens I was Ambassador to India when the first Marxist coup took place in Kabul. One felt the tremors in the subcontinent even then. We have now witnessed the third. This one a packaged coup, complete with a new leader, a new currency, a new official newspaper. In each case a pro-

Soviet, or at least pro-Marxist regime was replaced by one hoped to be yet more subservient to Moscow. Is the meaning of this that the Brezhnev doctrine, as it is known, has been extended to Marxist regimes outside the until now established perimeter of the Soviet Union and the satellite nations? Certainly there have been evidences of this elsewhere, as in South Yemen. If so, then the clear possibility is that Yugoslavia is next. That is where a general war could begin, and that is why the United States and NATO must make explicitly clear what we will and what we will not accept. We will not accept that the descent on Kabul was a dress rehearsal for the taking of Belgrade. Again, to say more is to compound the obvious.

As for the subcontinent, clearly we must be prepared to resume military aid to Pakistan, for all the difficulties this will cause with India. But I emphasize the phrase that we must "be prepared." Our long postwar experience of arming Pakistan brought us little save bitterness in India, a bitterness which has seemed to me to endure longer than warranted by the outcome of Pakistani recklessness, but a reality still. The present regime in Pakistan took its time coming to the relief of our Embassy when it was being sacked and burned by a Rawalpindi mob not many weeks ago. Even so, we must respond to their needs, having due regard for the sensibilities of neighboring India.

I have not intended a tour of the troubled areas of the world: Southern Africa, the western Sahara, Central America, the Caribbean. We encounter the Soviets everywhere, and must decide how much we can tolerate.

But before reaching any such array of decisions there is the general question of our commitment. It is a question that can surely be raised first of all here in the Congress. For if America has sent a weak signal to the world—a world increasingly characterized by what Neal Kozodoy has called a general "thuggishness"—to the Soviets, that signal has largely come from Capitol Hill. Consider the matter of our intelligence services, of which I speak as a member of the select committee. With what security are we to mount even the most routine clandestine activity when the law requires that eight committees, some 180 Congressmen, and almost as many staff members be informed in advance? What nation which takes its intelligence community seriously would open its archives under a Freedom of Information Act to foreign governments, including of course Marxist governments?

But this is the least of it. The issue of the second session of the 96th Congress, and probably of the remaining Congresses of this century—as has been the issue of most of the Congresses of this half century—is whether we as a people will bear the costs of defending our liberty and the cause of liberty generally. I have been shaken by the response of so many Presidential candidates to the President's decision not to permit the

Soviets to purchase the additional 17 million tons of grain which they had arranged to do. Surely the President had to do something. Surely this was a very small something. Disrupting to a segment of our economy and to whole States even. But disrupting in ways that can be compensated, and should be and will be. I would almost dare to say that the effect of the minimal actions the President did take in the aftermath of the Afghanistan invasion was near to offset by the evidence that there would be those who would attempt to make him pay a political cost for doing so.

I offer the thought that it should be just the other way around. Those who would impose such costs should be made to pay them. The President should be rewarded in direct measure as the effort is made to punish him. How can men who would lead the richest Nation on Earth—yes, we are still that and let us have no statistics about Scandinavia make a political issue over withholding grain shipments at a time when we are asking the whole of the world, the poorest countries included, to impose economic sanctions on the Government of Iran for allowing the seizure by terrorists of our Embassy and its personnel?

The American people have never hesitated to take on whatever burdens have been put to them as necessary, as national, and as equitable. We cannot ask the wheat farmers of Iowa to bear it all. And we will not. But we can ask our political leaders to show enough faith in this system to allow it 3 months to sort things out.

And there is a cost the President must endure also if he is to be followed in his new resolve. This is not going to be a pleasant time. It is not a pleasant subject to raise, but a necessary one. And that is this. New policies must to some extent mean new people. To say more once again compounds the obvious, but perhaps just a moment of compounding is in order. The leaders of Europe and Asia and certainly those of the Soviet Union will be watching closely now to see whether the President's new pronouncements and actions are accompanied by changes in the administration itself which will signal that the new positions arise not in response to the immediate necessity to do something, anything in the face of overwhelmingly hostile acts, a response that could soon fade as other events come to the fore. Or whether, to the contrary, persons whose past judgments comport with the administration's new policies will appear in the ranks of the administration, with the clear implication that the new positions are to be sustained.

And so, in concluding, I declare once more my support for the President in his new course, and if I may be allowed a personal statement, my sense of reunion in matters where I have sensed an estrangement I never expected in those heady days when the 1976 Democratic platform was being drafted. All the more then do I welcome another Presidential year, and prospects of further debate

within my party on the issues that so dominate our era.

Having said that, allow me to close with another line from that inaugural address of Woodrow Wilson:

The success of a party means little except when the nation is using that party for a large and definite purpose.●

PRELIMINARY NOTIFICATION PROPOSED ARMS SALES

● Mr. CHURCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive advance notification of proposed arms sales under that act in excess of \$25 million or, in the case of major defense equipment as defined in the act, those in excess of \$7 million. Upon receipt of such notification, the Congress has 30 calendar days during which the sale may be prohibited by means of a concurrent resolution. The provision stipulates that, in the Senate, the notification of proposed sale shall be sent to the chairman of the Foreign Relations Committee.

Pursuant to an informal understanding, the Department of Defense has agreed to provide the committee with a preliminary notification 20 days before transmittal of the official notification. The official notification will be printed in the RECORD in accordance with previous practice.

I wish to inform Members of the Senate that such a notification was received on January 7, 1980.

Interested Senators may inquire as to the details of this preliminary notification at the offices of the Committee on Foreign Relations, room S-116 in the Capitol.

The notification follows:

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, D.C., January 7, 1980.

In reply refer to: I-12683/79ct.

Dr. HANS BINNENDIJK,
Professional Staff Member, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. BINNENDIJK: By letter dated 18 February 1976, the Director, Defense Security Assistance Agency, indicated that you would be advised of possible transmittals to Congress of information as required by Section 36(b) of the Arms Export Control Act. At the instruction of the Department of State, I wish to provide the following advance notification.

The Department of State is considering an offer to a Middle Eastern country tentatively estimated to cost in excess of \$25 million.

Sincerely,

ERNEST GRAVES,
Lieutenant General, USA, Director, Defense Security Assistance Agency.●

PRELIMINARY NOTIFICATION PROPOSED ARMS SALES

● Mr. CHURCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive advance notification of proposed arms sales under that act in excess of \$25 million, or in the case of major defense equipment

as defined in the act, those in excess of \$7 million. Upon receipt of such notification, the Congress has 30 calendar days during which the sale may be prohibited by means of a concurrent resolution. The provision stipulates that, in the Senate, notification of proposed sale shall be sent to the chairman of the Foreign Relations Committee.

Pursuant to an informal understanding, the Department of Defense has agreed to provide the committee with a preliminary notification 20 days before transmittal of the official notification. The official notification will be printed in the RECORD in accordance with previous practice.

I wish to inform Members of the Senate that four such notifications were received on January 2, 1980.

Interested Senators may inquire as to the details of these preliminary notifications at the offices of the Committee on Foreign Relations, room S-116 in the Capitol.

The notification follows:

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, D.C., January 2, 1980.

In reply refer to: I-12808/79ct.

Dr. HANS BINNENDIJK,
Professional Staff Member, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR DR. BINNENDIJK: By letter dated 18 February 1976, the Director, Defense Security Assistance Agency, indicated that you would be advised of possible transmittals to Congress of information as required by Section 36(b) of the Arms Export Control Act. At the instruction of the Department of State, I wish to provide the following advance notification.

The American Institute in Taiwan is considering an offer to the Coordination Council for North American Affairs for major defense equipment tentatively estimated to cost in excess of \$25 million. Shortly after this letter is delivered to your office, we plan to notify the news media.

Sincerely,

ERNEST GRAVES,
Lieutenant General, USA, Director, Defense Security Assistance Agency.

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, D.C., January 2, 1980.

In reply refer to: I-12807/79ct.

Dr. HANS BINNENDIJK,
Professional Staff Member, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR DR. BINNENDIJK: By letter dated 18 February 1976, the Director, Defense Security Assistance Agency, indicated that you would be advised of possible transmittals to Congress of information as required by Section 36(b) of the Arms Export Control Act. At the instruction of the Department of State, I wish to provide the following advance notification.

The American Institute in Taiwan is considering an offer to the Coordination Council for North American Affairs for major defense equipment tentatively estimated to cost in excess of \$7 million. Shortly after the letter is delivered to your office, we plan to notify the news media.

Sincerely,

ERNEST GRAVES,
Lieutenant General, USA, Director, Defense Security Assistance Agency.

DEFENSE SECURITY ASSISTANCE AGENCY.
Washington, D.C., January 2, 1980.

In reply refer to: I-11236/79ct.

Dr. HANS BINNENDIJK,
Professional Staff Member, Committee on
Foreign Relations, U.S. Senate, Wash-
ington, D.C.

DEAR DR. BINNENDIJK: By letter dated 18 February 1976, the Director, Defense Security Assistance Agency, indicated that you would be advised of possible transmittals to Congress of information as required by Section 36(b) of the Arms Export Control Act. At the instruction of the Department of State, I wish to provide the following advance notification.

The American Institute in Taiwan is considering an offer to the Coordination Council for North American Affairs tentatively estimated to cost in excess of \$25 million. Shortly after this letter is delivered to your office, we plan to notify the news media.

Sincerely,

ERNEST GRAVES,
Lieutenant General, USA, Director, De-
fense Security Assistance Agency.

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, D.C., January 2, 1980.

In reply refer to: I-12805/79ct.

Dr. HANS BINNENDIJK,
Professional Staff Member, Committee on
Foreign Relations, U.S. Senate, Wash-
ington, D.C.

DEAR DR. BINNENDIJK: By letter dated 18 February 1976, the Director, Defense Security Assistance Agency, indicated that you would be advised of possible transmittals to Congress of information as required by Section 36(b) of the Arms Export Control Act. At the instruction of the Department of State, I wish to provide the following advance notification.

The American Institute in Taiwan is considering an offer to the Coordination Council for North American Affairs for major defense equipment tentatively estimated to cost in excess of \$25 million. Shortly after this letter is delivered to your office, we plan to notify the news media.

Sincerely,

ERNEST GRAVES,
Lieutenant General, USA, Director, De-
fense Security Assistance Agency.●

PRELIMINARY NOTIFICATION PROPOSED ARMS SALES

● Mr. CHURCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive advance notification of proposed arms sales under that act in excess of \$25 million or, in the case of major defense equipment as defined in the act, those in excess of \$7 million. Upon receipt of such notification, the Congress has 30 calendar days during which the sale may be prohibited by means of a concurrent resolution. The provision stipulates that, in the Senate, the notification of proposed sale shall be sent to the Chairman of the Foreign Relations Committee.

Pursuant to an informal understanding, the Department of Defense has agreed to provide the Committee with a preliminary notification 20 days before transmittal of the official notification. The official notification will be printed in the record in accordance with previous practice.

I wish to inform Members of the Senate that such a notification was received on December 21, 1979.

Interested Senators may inquire as to the details of this preliminary notification at the offices of the Committee on Foreign Relations, room S-116 in the Capitol.

The notification follows:

DEFENSE SECURITY
ASSISTANCE AGENCY,
Washington, D.C.

In reply refer to: I-8830/79ct.

Dr. HANS BINNENDIJK
Professional Staff Member, Committee on
Foreign Relations, U.S. Senate, Wash-
ington, D.C.

DEAR DR. BINNENDIJK: By letter dated 18 February 1976, the Director, Defense Security Assistance Agency, indicated that you would be advised of possible transmittals to Congress of information as required by Section 36(b) of the Arms Export Control Act. At the instruction of the Department of State, I wish to provide the following advance notification.

The Department of State is considering an offer to a Middle Eastern country tentatively estimated to cost in excess of \$25 million.

Sincerely,

ERNEST GRAVES,
Lieutenant General, USA, Director, De-
fense Security Assistance Agency.●

NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS UNDER RULE 43, PARAGRAPH 4, PERMITTING ACCEPTANCE OF A GIFT OF EDUCATIONAL TRAVEL FROM A FOREIGN ORGANIZATION

● Mr. HEFLIN. Mr. President, it is required by paragraph 4 of rule 43 that I place in the CONGRESSIONAL RECORD this notice of a Senate employee who proposes to participate in a program, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization.

The Select Committee on Ethics has received a request for a determination under rule 43 which would permit Mr. Eugene Iwanciw, legislative assistant to Senator SCHMITT, to participate in a program sponsored by a foreign educational organization, Tunghai University in Taichung, Taiwan from January 4 to January 12, 1980.

The committee has determined that participation by Mr. Iwanciw in the program in Taiwan, at the expense of Tunghai University, to discuss economics and international relations is in the interest of the Senate and the United States.●

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

● Mr. JACKSON. Mr. President the Committee on Energy and Natural Resources has scheduled an oversight hearing to review the program for the rehabilitation and resettlement of Bikini

and Eniwetok Atolls. The hearing will be held on February 1 and 15 in Honolulu, Hawaii, in order to facilitate the appearance of representatives of the Bikini and Eniwetok peoples.

The hearing will review the history of the removal of the Bikini and Eniwetok Atolls, the efforts to rehabilitate the atolls, the prospects of resettlement, and the options available to the peoples in the event that resettlement is not possible. The committee would like assurance that the anticipated return of the Eniwetok people to Eniwetok in April of this year, will not result in a replication of the recent Bikini experience.

Those wishing further information regarding this hearing may contact either James P. Bierre or Barbara J. Haugh on the committee staff at 202-224-2564.●

HEARINGS ON GASOLINE RATIONING

● Mr. JOHNSTON. Mr. President, the Subcommittee on Energy Regulation of the Committee on Energy and Natural Resources will hold a hearing on Thursday, January 2, 1980, on the Department of Energy's proposed standby motor fuel rationing plan. This hearing, which will be restricted to Government witnesses, will begin at 10 a.m. in room 3110 of the Dirksen Senate Office Building.

Questions about this hearing should be directed to Ben Cooper at 224-9894 or Owen Malone at 224-7141.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Hawaii, the acting majority leader, is recognized.

RECESS TO THURSDAY, JANUARY 17, 1980

Mr. INOUE. Mr. President, pursuant to House Concurrent Resolution No. 232, I move that the Senate stand in recess until 12 o'clock meridian on January 17, 1980.

The motion was agreed to; and at 12:03 p.m., the Senate recessed pursuant to House Concurrent Resolution No. 232 until Thursday, January 17, 1980, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 10, 1980;

THE JUDICIARY

Robert B. Propst, of Alabama, to be U.S. district judge for the northern district of Alabama vice a new position created by Public Law 95-486 approved October 20, 1978.

E. B. Haltom, Jr., of Alabama, to be U.S. district judge for the northern district of Alabama vice a new position created by Public Law 95-486 approved October 20, 1978.

Fred D. Gray, of Alabama, to be U.S. district judge for the middle district of Alabama vice Frank M. Johnson, Jr., elevated.

U. W. Clemon, of Alabama, to be U.S. district judge for the northern district of Alabama vice a new position created by Public Law 95-486 approved October 20, 1978.