I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

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

S. 3512

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Unemployment Compensation Amendments of 1974".

COVERAGE OF AGRICULTURAL EMPLOYMENT

SEC. 2. (a) Section 3306(b) of the Internal Revenue Code of 1954 is amended by striking out the period at the end of paragraph (10) and inserting in lieu of such period "; or"; and by adding the following new paragraph (11):

"(11) remuneration paid in any medium other than cash for agricultural labor.".

(b) Section 3306(c)(1) of the Internal Revenue Code of 1954 is amended to read as follows:

"(1) agricultural labor (as defined in subsection (k)) unless performed for an employer who—

"(A) during any calendar quarter in the calendar year or the preceding calendar year paid remuneration in case of $5,000 or more to individuals employed in agricultural labor, or

"(B) on each of some 20 days during the calendar year or preceding calendar year, each day being in a different calendar week, employed in agricultural labor for some portion of the day (whether or not at the same moment of time) 4 or more individuals;

excluding, however, for the purpose of this paragraph agricultural labor performed by an individual who is an alien admitted to the United States to perform agricultural labor pursuant to sections 214(c) and 101 (a)(15)(H) of the Immigration and Nationality Act;".

(c) The amendment made by this section shall apply with respect to remuneration paid after December 31, 1975, for services performed after such date.

COVERAGE OF DOMESTIC SERVICE

SEC. 3. (a) Section 3306(c)(2) of the Internal Revenue Code of 1954 is amended to read as follows:

"(2) domestic service in a private home, local college club, or local chapter of a college fraternity or sorority unless performed for an employer who paid cash remuneration of $225 or more for such domestic service in any calendar quarter in the current or preceding calendar year;".

(b) The amendment made by subsection (a) shall apply with respect to remuneration paid after December 31, 1975, for services performed after such date.

COVERAGE OF CERTAIN SERVICE PERFORMED FOR NONPROFIT CORPORATIONS AND FOR STATE AND LOCAL GOVERNMENTS

SEC. 4. (a) Section 3304 (a)(6)(A) of the Internal Revenue Code of 1954 is amended by striking out the semicolon and all that follows, and by inserting in lieu of the matter stricken ", and".

(b)(1) Section 3309(a)(1)(B) of such Code is amended to read as follows:

"(B) service performed in the employ of the State, a political subdivision of the State, or any instrumentality of the State and one or more States, if such service is excluded from the term 'employment' solely by reason of paragraph (7) of section 3306(c); and".

(2) Section 3309(a)(2) of such Code is amended by adding at the end thereof the following new sentences: "The State law may also provide that an organization so electing may further elect to limit its payments in lieu of contributions to amounts which were (A) equal to the amount of that compensation attributable to service in its employ which would be considered for experience-rating purposes in computing its contribution rate if it were an employer that was liable for contributions and (B) did not exceed, in any calendar year, 10 percent of the wages (as the State law defines wages subject to contributions) paid by such organization. The State law which permits such further election shall require an organization which makes such further election to make a supplementary payment in addition to its limited payments in lieu of contributions. Such supplementary payment, in any calendar year, shall not exceed the lesser of (A) 1 percent of the wages (as the State law defines wages subject to contributions) paid by the organization during that year, or (B) that percentage of such wages which was equal to that portion, if any; of the contribution rate which is payable all of the State's experience-rated employers that are subject to contributions and which is computed without regard to their individual experience with unemployment or other factors bearing a direct relation to unemployment risk.".

(3) Section 3309(b) of such Code is amended by striking out paragraphs (3), (4), and (5) thereof and inserting in lieu of such paragraphs the following:

"(3) in a facility conducted for the purpose of carrying out a program of—

"(A) rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, or

"(B) providing remunerative work for individuals who because of their impaired physical or mental capacity cannot readily be absorbed in the competitive job market,

by an individual receiving such rehabilitative or remunerative work;

"(4) as part of an unemployment work-relief or work-training program assisted or financed in whole or in part by any Federal agency or any agency of a State or political subdivision thereof, by an individual receiving such work relief or work training; and

"(5) in the case of a State, a political subdivision of a State, or any instrumentality of a State, by elected officials, officials appointed for statutory or specified terms, members of legislative bodies, members and employees of the judiciary, national guardsmen, inmates of institutions, or part-time officials.".

(4) Section 3309 of such Code is further amended by striking out subsection (d) thereof.

(c) The amendments made by subsections (a) and (b) shall apply with respect to certifications of State laws for 1977 and subsequent years, but only with respect to services performed after December 31, 1975.

PROVISIONS REQUIRED TO BE INCLUDED IN STATE LAWS

SEC. 5. (a) Section 3304(a) of the Internal Revenue Code of 1954 is amended, effective January 1, 1976, by striking out paragraph (12) thereof and by inserting in lieu thereof the following new paragraph (12):

"(12) with respect to benefit years beginning on or after January 1, 1976—

"(A) compensation shall be paid to an otherwise eligible individual if he satisfies a qualifying requirement of not more than 20 weeks of base period employment or the equivalent in base period wages;

"(B) no waiting period in excess of 1 week of total or partial employment shall be required of any other individual otherwise eligible for compensation; and if an eligible individual has received compensation for 3 or more weeks in his benefit year, compensation shall be paid to such individual for such waiting period;

"(C) the weekly benefit amount of any eligible individual for a week of total unemployment shall be (i) an amount equal to at least two-thirds of such individual's average weekly wage (as determined by the State agency), or (ii) the maximum weekly benefit amount payable under such State law, whichever is the lesser;

"(D) the State maximum weekly benefit amount (exclusive of allowances with respect to dependents) shall be no less than the statewide average weekly wage most recently computed before the beginning of the individual's benefit year;

"(E) an otherwise eligible individual may receive for weeks of unemployment in his benefit year a total amount of compensation equal to at least 39 times his weekly benefit amount;

"(F) for the purpose of this paragraph—

"(i) 'benefit year' means a period as defined in State law except that it shall not exceed 1 year beginning subsequent to the end of an individual's base period;

"(ii) 'base priod' means a period as defined in State law except that it shall be 52 consecutive weeks, 1 year, or 4 calendar quarters ending not earlier than 6 months prior to the beginning of an individual's benefit year;

"(iii) 'base period' means a period as demeans (I) in a State which computes individual weekly benefit amounts on the basis of high quarter wages, an amount equal to one-thirteenth of an individual's high quarter wages; or (II) in any other State, an amount computed by dividing the total amount of wages (irrespective of the limitation on the amount of wages subject to contributions under the State law) in the individual's base period by the number of weeks in which he performed services in employment covered under such State law during such base period;

"(iv) 'high quarter wages' means the amount of wages for services performed in employment covered under the State law to an individual in that quarter of his base period in which such wages were highest, irrespective of the limitation on the amount of wages subject to contributions under such State law;

"(v) 'statewide average weekly wage' means the amount computed by the State agency at least once each year on the basis of the aggregate amount of wages, irrespective of the limitation on the amount of wages subject to contributions under such State law, reported by employers as paid for services covered under such State law, during the first 4 of the last 6 completed calendar quarters prior to the effective date of the computation, divided by a figure representing 52 times the 12-month average of the number of employees in the pay period containing the twelfth day of each month during the same 4 calendar quarters, as reported by such employers;

"(vi) the term 'regular compensation' means compensation, other than 'extended compensation' or 'additional compensation' payable to an individual under the State law, and the terms 'extended compensation' and 'additional compensation' shall have the meaning ascribed to them in section 205 of the Federal-State Extended Unemployment Compensation Act of 1970; and

"(vii)(I) the term 'week of base period employment', as used in subparagraph (A), shall have the meaning ascribed to such term by such State law but there shall be counted as a week of base period employment any week in which the individual earned an amount which equals or exceeds 25 percent of the statewide average weekly wage, and (II) the equivalent in base period wages of 20 weeks of base period employment shall, for purposes of subparagraph (A), be total base period wages equal to five times the statewide average weekly wage and either one and one-half times the individual's high quarter earnings or 40 times the weekly benefit amount, whichever is appropriate under State law.

Any weekly benefit amount payable under such State law may be rounded to an even dollar in accordance with the provisions of such State law.".

(b) The amendment made by subsection (a) shall take effect January 1, 1976, and shall apply to the taxable year 1976 and taxable years thereafter; except that the provisions of section 3304(a)(12)(E) of the Internal Revenue Code of 1954 (as amended by subsection (a)) shall not be a requirement for the State law of any State prior to January 1, 1977.

(c) Title IX of the Social Security Act is amended by adding at the end thereof the following new section:

"PAYMENTS INTO STATE ACCOUNTS WITH RESPECT TO EXPENDITURES REQUIRED TO MEET MINIMUM LENGTH-OF-ELIGIBILITY STANDARDS

"SEC. 909. (a)(1) Each State the State law of which has been approved by the Secretary of Labor under section 3304 of the Internal Revenue Code of 1954 shall be entitled to receive, with respect to regular compensation paid under such State law for any period after such law has been modified so as to comply with the requirement imposed by subsection (a)(12)(E) of such section, an amount equal to one-half of the excess of—

"(A) the aggregate of whichever of the following is less: (I) the regular compensation paid during such period, or (II) the regular compensation which would be paid during such period if the State law meets such requirement by providing regular compensation for not more than 39 weeks, over

"(B) the aggregate of regular compensation which would have been paid under such law during such period if such State law had provided for the payment of regular compensation for 26 weeks.

For purposes of this paragraph, the term 'regular compensation' shall have the meaning assigned to such term by section 3304(a)(12)(F)(vi) of the Internal Revenue Code of 1954.

"(2) For purposes of paragraph (1), the provisions of section 3304(a)(12)(E) shall be deemed to impose the requirement prescribed thereby for the period beginning on the date of enactment of this section. In the case of any such State law which (on the date of enactment of this section) meets the requirement imposed by such section 3304(a)(12)(E), such law shall, for purposes of paragraph (1), be deemed to have been modified so as to meet such requirement on such date.

"(b) An amount payable to a State under this section shall be payable in the manner prescribed by subsections (d) and (e) of section 204 of the Federal-State Extended Unemployment Compensation Act of 1970 for the payment of amounts to which States are entitled under such Act, and shall be paid from the Extended Unemployment Compensation Account.".

(d)(1) Whenever the State law of a State is modified (or is deemed to be modified under section 909(a) of the Social Security Act) so as to comply with the requirement imposed by section 3304(a)(12)(E) of the Internal Revenue Code of 1954 (as added by subsection (a)), then for the period commencing with the first day of the first week with respect to which such modification (or deemed modification) is effective—

(A) section 3304(a)(11) of such Code shall no longer be a requirement in the case of the State law of such State, and

(B) no payment shall be made to such State, under the Federal-State Extended Unemployment Compensation Act of 1970, with respect to extended compensation or additional compensation paid to individuals for weeks of unemployment in such period.

(2)(A) Effective January 1, 1977, section 3304(a)(11) of such Code shall no longer be a requirement in the case of the State law of any State.

(B) No payment shall be made to any State, under the Federal-State Extended Unemployment Compensation Act of 1970, with respect to extended compensation or additional compensation paid to individuals for any day of unemployment which occurs after December 31, 1976.

3

PRORATION OF COSTS OF CLAIMS FILED JOINTLY UNDER STATE LAW AND SECTION 8505 OF TITLE 5, UNITED STATES CODE

SEC. 6. (a) Section 8505(a) of title 5, United States Code, is hereby amended to read as follows:

"(a) Each State is entitled to be paid by the United States with respect to each individual whose base period wages included Federal wages an amount which shall bear the same ratio to the total amount of benefits paid to such individual as the amount of his Federal wages in his base periods bears to the total amount of his base period wages, computed to the nearest percentage point.".

(b) The amendment made by subsection (a) shall apply with regard to compensation paid on the basis of claims for compensation filed on or after July 1, 1975.

REPEAL OF FINALTY CLAUSE

SEC. 7. (a) Section 8506(a) of title 5, United States Code, is amended—

(1) by striking out paragraph (4),

(2) by inserting "and" at the end of paragraph (2), and

(3) by striking out "; and" at the end of paragraph (3) and inserting in lieu thereof a period.

(b) The amendments made by subsection (a) shall take effect upon the date of enactment of this Act.

SPECIAL ADVISORY COMMISSION

SEC. 8. (a) The Secretary of Labor (hereinafter in this section referred to as the "Secretary") shall, three years after the date of enactment of this Act, appoint a Special Advisory Commission on Unemployment Compensation for the purpose of reviewing the Federal-State program of unemployment compensation and making recommendations for improvement of the system, with particular reference to (but not limited to) the changes made by this Act, and making recommendations with respect to the relationship between unemployment compensation and other social insurance programs, and any other matters bearing on the Federal-State unemployment compensation program.

(b) The Commission shall be appointed by the Secretary without regard to the civil service laws and shall consist of twelve persons who shall be representatives of employers and employees in equal number, representatives of State and Federal agencies concerned with the administration of the unemployment compensation program, other persons with special knowledge, experience, or qualifications with respect to such a program, and members of the public.

(c) The Commission is authorized to engage such technical assistance as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Commission such secretarial, clerical, and other assistance, and such pertinent data prepared by the Department of Labor as it may require to carry out such functions.

(d) The Commission shall make a report of its findings and recommendations (including recommendations for changes in the provisions of the Social Security Act and the Federal Unemployment Tax Act) to the Secretary, such report to be submitted not later than two years after it commences its review, after which date such Commission shall cease to exist.

(e) Members of the Commission who are not regular full-time employees of the United States shall, while serving on business of the Commission, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in government service employed intermittently.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 93d CONGRESS, SECOND SESSION

Vol. 120 WASHINGTON, MONDAY, JUNE 3, 1974 No. 78

Senate

IMPEACHMENT

Mr. MONDALE. Mr. President, article II, section 4 of the Constitution provides:

The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

Article I, section 2 vests "the sole power of impeachment" in the House of Representatives, and article I, section 3 describes the Senate's "sole power to try all impeachments."

The framers of the Constitution were realists. They were confident that the people had the ability to make self-government work; but they were skeptical of human nature and feared what might happen if the President were accorded unlimited power.

As a result, the Constitution was carefully designed with many checks and balances to prevent the excessive use of power which might threaten American freedom.

One of the checks and balances built into the Constitution was impeachment. The framers gave the legislative branch the power to remove a sitting President, in the words of the Constitution, for "treason, bribery, or other high crimes and misdemeanors."

Entirely apart from the debate over what constitutes an impeachable offense, it is clear from the constitutional debates, as well as the face of the document itself, that the framers intended to impower the legislative branch to remove the head of the executive branch. It is abundantly clear that impeachment was codified as a cornerstone of our constitutional structure.

Why was the impeachment mechanism included The framers envisioned circumstances where the 4-year term would not be sufficient to check the aggragation or abuse of power by the executive. In the words of Harvard's Raoul Berger:

It was because the separation of powers left no room for removal by a vote of no confidence that impeachment was adopted as a safety valve, a security against an oppressive or corrupt President and his sheltered ministers.

James Madison put it this way, when, in his Journal, he wrote:

(Madison) thought it indispensable that some provision should be made for defending the Community ag(ain)st the incapacity, negligence or perfidy of the chief Magistrate. The limitation of the period of his service was not a sufficient security. He might lose his capacity after his appointment. He might pervert his administration into a scheme of peculation or oppression . . . In the case of the Executive Magistracy which was to administered by a single man, loss of capacity or corruption was more within the compass of probable events, and either of them might be fatal to the Republic.

The framers wanted a way to remove a sitting executive. They chose impeachment; they vested the power in the House; they placed the trial in the Senate.

Surely, the power of impeachment is the most solemn power entrusted to the legislative branch, involving as it does the removal of the head of a coordinate branch of government. Nevertheless, the power of impeachment is one of the indispensable—possibly the most indispensable—elements of the system of checks and balances that the framers constructed to keep official power within bounds.

If the House were to vote a bill of impeachment, the trial would take place in the Senate. As a Member of that body, and a potential juror in an impeachment trial, I must not, and I will not, prejudge the question of whether the President should be impeached or the nature of the evidence for or against the President. I cannot, however, remain silent on the question of access to evidence essential to an impeachment inquiry.

The power of impeachment is the prerogative of the House of Representatives. Its power is sole; the scope of its exercise must be absolute. In exercising the power of impeachment, the House must be able to investigate, must be able to study, must be able to make an informed judgement as to whether grounds for impeachment—under any of the various definitions—exist.

Yet, we all know too well of the "stonewalling" that has confronted the House Judiciary Committee as it has carried on its impeachment inquiry. To its request for relevant materials, it received delay and excuses. To its initial subpena for needed materials, it received partial transcripts. To its latest subpena, it received defiance.

Mr. Nixon has clearly defined his attitude toward the impeachment process: It is up to me, he says, to define those offenses for which I am accountable via the impeachment process; and it is, above all, up to me, he says, to decide which evidence might be used in an impeachment investigation.

If Mr. Nixon's view of impeachment is accepted, either through congressional acquiescence or congressional indifference, impeachment becomes a sunken ship on the constitutional waters. Impeachment becomes nothing more than an empty gesture, subject to Executive veto.

To disregard this vital element of our constitutional system—to read the impeachment clause as mere surplusage—is to demean the Constitution and to throw its carefully constructed equilibrium out of balance.

There is only one way to hold a sitting President accountable. And a President must be accountable. It rests with the House of Representatives to hold the President accountable.

When we denigrate impeachment, we denigrate a device which the framers regarded as essential to a republican form of government. When we ignore impeachment, we ignore an important element in our system of checks of balances. When we allow impeachment to be frustrated by Presidential fiat, we frustrate the Constitution.

Throughout the past several months, as various investigative bodies—the grand jury, the Senate Watergate Committee, and the House Judiciary Committee—have been seeking to get to the truth behind the Watergate scandal, President Nixon has repeatedly argued that he is, by his refusal to cooperate with these bodies, protecting the Presidency. He says that his reliance upon "executive privilege," "national security," and simple defiance is necessary to preserve the integrity and independence of the Office of the President.

Far greater than any alleged threat to the Presidency, is the threat to the future viability of Congress as a coordinate branch of government. The total frustration of the impeachment power will be the ultimate castration of Congress.

In the words of columnist and editor George Will:

If Mr. Nixon gets away with his doctrine nullifying the Constitution's impeachment provision—that is, if he sticks to his doctrine and still manages to finish his term then the first business of the 95th Congress when it convenes January, 1977, should be to amend the Constitution, deleting all language that suggests impeachment applicable to presidents.

We should make the 95th Congress do that, and then we should forbid all Congresses to do anything else of consequence, ever.

Richard Nixon's impeachment "strategy" is but another instance of Presidential usurpation of congressional prerogatives. The warmaking power is vested in Congress by article I. Yet, we all know of the serious Presidential incursions on that power. The Congress has the power to appropriate money, the President may veto legislation, but the item-veto was rejected by the framers. Yet, we know the impoundments that more than 20 Federal and State courts have ruled illegal.

If Richard Nixon is successful in usurping the congressional impeachment function, he will have cast the ultimate stone against a coordinate branch of government.

It will, indeed, be a strange version of the Constitution that will be operative when the next President takes office. The warmaking power will have mysteriously shifted to the executive branch. Duly appropriated money will only have to be spent when the President finds that prospect attractive. And the President will be totally immune from impeachment.

I ask unanimous consent that the column by Mr. Will, entitled "For Congress: A 'Make-or-Break' Test," from the Washington Post of May 28, 1974, be printed in the RECORD.

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

FOR CONGRESS: A "MAKE-OR-BREAK" TEST

(By George F. Will)

Twelve years ago California voters rejected Mr. Nixon's offer to be their governor, causing columnist Murray Kempton to feel reprieved: "Richard Nixon's defeat in California has removed him to that small place in history which belongs to national disasters which did not quite happen."

But it is still too early to write Mr. Nixon off as a national disaster. He seems to want to be a disaster, but the unintended effects of public figures are often more important than their intended effects.

Mr. Nixon did not intend to spend his second term conferring self-respect on Congress, or nullifying the impeachment provisions of the Constitution. But he is going to do one or the other, and whichever it is, we will be better off.

All this became inevitable when Archibald Cox, the first Special Prosecutor, unintentially became the Anne Boleyn of American history.

Ms. Boleyn, Henry VIII's second wife, gave birth to a girl. Henry did not understand chromosomes, so he did not suffer baby girls gracefully. He terminated the marriage, thereby bringing on the English Reformation and, you might say, the United States.

Similarly, Mr. Cox never really did anything except displease the sovereign, who beheaded Mr. Cox. This caused the impeachment process to clank into what passes for motion in the House of Representatives.

This led ineluctably to the House Judiciary Committee's subpoena for the "best evidence"—the tapes.

The subpoena produced a few custom-tailored transcripts, and a letter from Mr. Nixon telling the committee to stop pestering him.

Mr. Nixon has thrown down the gauntlet in the form of a doctrine. His doctrine is: a President has the right to decide which offenses he will permit himself to be impeached for, and he also has the right to select, trim, polish and edit any evidence used against him.

If Mr. Nixon sticks to this doctrine, and if he is not impeached for sticking to it, it will become the definitive precedent. It will establish presidential control over impeachment inquiries against Presidents. It will mean that Presidents are immune from impeachment.

Of course it is conceivable that Mr. Nixon's assertion of this doctrine may have a dramatic unintended effect.

All Napoleon wanted to do was subdue those rival principalities. But he inadvertently provoked them into becoming modern Germany. Mr. Nixon's aggressive doctrine may provoke the little rival princes on Capitol Hill. They may unite against him in defense of their institution's prerogatives.

Mr. Nixon's doctrine is a potentially lethal blow aimed at the constitutional impeachment process itself. As such it is his worst offense yet, worse even than hiring the people he hired and helping to cover up what they did.

If Mr. Nixon sticks to his doctrine and is not impeached, then perhaps he is right in saying that Presidents should be immune from impeachment. Perhaps Congress is too confused to be trusted with anything as weighty as the impeachment power.

The 93d Congress, now sitting, is a typical Congress. Using anesthetics and forceps, it has extracted a bit of doctored evidence from Mr. Nixon.

If Congress does not think Mr. Nixon's denial of all other evidence—his attempt to destroy the impeachment process—is itself an impeachable offense, then Congress should indeed quit pestering Mr. Nixon. It should stop its impeachment charade.

Worse than unenforced laws are unenforceable laws. Worse still is a constitutional provision that is unenforceable. Worst of all is a constitutional provision that is unenforceable but not recognized as such.

Impeachment, as regards Presidents, may be such a provision. It may offer only the illusion of recourse against abuse of power.

If Mr. Nixon gets away with his doctrine nullifying the Constitution's impeachment provision—that is, if he sticks to his doctrine and still manages to finish his term then the first business of the 95th Congress when it convenes January, 1977, should be to amend the Constitution, deleting all language that suggests impeachment applicable to presidents.

We should make the 95th Congress do that, and then we should forbid all Congresses to do anything else of consequence, ever.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 93d CONGRESS, SECOND SESSION

Vol. 120 WASHINGTON, WEDNESDAY, JUNE 5, 1974 No. 80

Senate

DEVELOPMENT OF A FAIR WORLD ECONOMIC SYSTEM—AMENDMENTS

AMENDMENT NO. 1389

(Ordered to be printed, and referred to the Committee on Finance.)

DENIAL OF TAX CREDITS TO U.S. FIRMS OPERATING IN NAMIBIA

Mr. MONDALE. Mr. President, I am submitting several amendments to the Trade Reform Act of 1973. The proposed amendments are intended to deny tax credits to American firms operating in territories that are deemed to be, by both the United Nations and the International Court of Justice, under illegal occupation. Therefore, these amendments express American concern over countries where basic human rights are still outrageously flouted and majority rule denied.

My amendments most specifically address themselves to the tragic situation in Namibia, an arid, mineral-rich country located in the southwestern corner of Africa. Namibia suffers a unique international wrong in the unlawful perpetuation of South African rule. This is compounded by the introduction into Namibia of the apartheid system and of the whole apparatus of arbitrary South African police laws and political trials.

It is 8 years since the general assembly, after other remedies had been exhausted, declared the South African mandate, dating from 1918, at an end, and with it, South Africa's right to govern the territory. It is 3 years since the International Court of Justice's advisory opinion concurring with the United Nations ruling. Yet South Africa remains in defiance of the United Nations.

The United States has continually supported the actions of the United Nations and of the World Court. To date, American action has been, first, to officially discourage investment in Namibia by U.S. nationals, second, to deny Export-Import Bank credit guarantees, third, to deny U.S. Government assistance in protection of any U.S. investment there, and fourth, to encourage other nations to follow suit. However, we allow tax credits, for taxes paid to the South African Government, on American investments in Namibia. We, in effect, allow tax credits to a government in places where we do not recognize their authority.

In 1972, 27 U.S. Senators and Representatives wrote a letter to the Secretary of the Treasury expressing concern over the inconsistency between international law and U.S. policy on the one hand, and the Treasury Department's allowance of credit against U.S. tax due to taxes paid by U.S. companies to South Africa on income earned, in Namibia, on the other. In a letter dated May 4, 1973, the Secretary of the Treasury, Mr. Shultz, replied to that letter, saying:

> We have concluded that the existing tax credit legislation does not provide discretion to deny the tax credit to United States taxpayers, even though the occupation of the area by South Africa has been determined to be illegal under international law.

I believe that Secretary Schultz' reply was an invitation to the Congress to amend the Internal Revenue Code to disallow the foreign tax credit to U.S. investors in Namibia who are paying taxes to the illegal South African occupiers. Today, we should set the record straight and bring the tax laws into line with U.S. policy, and in total compliance with our international obligations.

There are important U.S. interests at stake in my amendments. Other nations of Africa, strategically important, are seriously concerned over Namibia. Their decisions on major economic and political questions may be affected by our actions on this issue. For example, Nigeria, a country whose government is a vigorous critic of South Africa's illegal administration of Namibia, supplies the United States 24 percent of its non-Arab oil imports. Moreover, one of the greatest potential areas for oil exploration in the world is in the offshore area of the western bulge of Africa. All of the countries in this area are strongly opposed to South Africa's presence in Namibia. Such strategic factors, together with diplomatic and humanitarian considerations compel our attention and our action on the Namibian issue.

Change is coming in Southern Africa. With the recent events in Portugal and in the Portuguese colonies, we must not delay in making it clear where the United States stands. This is the purpose of these amendments. I, therefore, believe that they deserve the support of the Congress and of the Government of the United States, for they are in keeping with our policies, our basic values, and our national interests.

Senator Walter Mondale on BENEFITS for the ELDERLY

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 93d CONGRESS, SECOND SESSION

Vol. 120 WASHINGTON, WEDNESDAY, JUNE 5, 1974 *No. 80*

Senate

By Mr. MONDALE (for himself and Mr. HUMPHREY):

S. 3588. A bill to amend the Social Security Act to prevent State supplementation benefits from being reduced on account of increases in the level of benefits payable under the supplemental security income program, to prevent certain individuals from losing medicaid eligibility, because of increases in social security benefits or supplemental security income benefits, and for other purposes. Referred to the Committee on Finance.

Mr. MONDALE. Mr. President, we all know that senior citizens are among the hardest hit in a time of inflation. Inflation is certainly a tremendous problem for all families, but those living on fixed incomes must suffer more than most.

This message was brought home to me with new intensity recently by a rally of thousands of senior citizens in Minneapolis. I and other members of the Minnesota congressional delegation were invited to attend the rally, which was sponsored by the Metropolitan Senior Federation. At the rally, senior citizens vividly described how inflation and social security increases are eating away their already meager incomes:

One resident of a high rise apartment building for the elderly told us that she lost 25 percent of her last social security increase time to a rent increase.

The widow of a World War I veteran told us that when social security went up January 1, she lost more than $12 a month from her pension. She said:

I guess we're out of sight and out of mind.

A World War II veteran told us that his pension is "being chipped away at—and if the chipping continues, there won't be any pension left."

The basic problem is that when social security goes up, senior citizens often fail to qualify for or else lose part of other necessary benefits, such as public housing and food stamps.

At this point I request unanimous consent to print in the RECORD a document describing the effect of this year's 11 percent social security increase on senior citizens in Minnesota. This document was prepared by the Metropolitan Senior Federation.

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

THE 11-PERCENT SOCIAL INSECURITY INCREASE: YOU MAY NEVER SEE IT

What is the new social security increase on paper?

On paper, seniors on social security are receiving the following across-the-board increases:

April, 1974: 7% temporary increase.

July, 1974: 4% additional increase, making an 11% total permanent increase (U.S. Public Law 93-627)

Will all seniors receive this 11% increase?

No. There are basically six categories of seniors in Minnesota who will never see the entire 11% increase:

Seniors receiving food stamps.

Seniors in public housing.

Seniors on World War I pensions.

Seniors receiving or eligible for SSI.

Seniors receiving non-service disabled veterans pensions.

Seniors using Minnesota rent or property tax credit.

How many seniors does this involve?

An estimated two hundred eighty-two thousand seniors in Minnesota. Of these, approximately ninety-eight thousand federal as well as state benefits.

Why do these seniors lose out on their 11% increase?

Basically because the other benefits which seniors receive are closely tied to their income, which includes social security payments. With the 11% increase, these other benefits will be reduced or cut off. The following is a breakdown for what happened in each category:

1. Food stamps: Affects approximately 10,000 seniors in Minnesota. The amount of food stamps a person can get per dollar is tied directly to income; when social security goes up, then the cost of food stamps increases. These regulations are established by the U.S. Department of Agriculture. Maximum monthly loss from 11% increase: $28. (U.S. Code, Title 7, Chap. 51)

2. Public housing: Affects approximately 10,000 seniors in Minnesota. Rent for public housing is set at 25% of adjusted gross income (about 10% less than total gross), as regulated by HUD. Thus, about one-fourth of the new 11% increase is automatically lost to increase rent. Maximum monthly loss from 11% increase, $20. (U.S. Code, Title 12, Chap. 13, s. 11)

3. World War I pensions: Affects 21,922 seniors in Minnesota.

The amount of WWI pensions is tied to other income, including social security. Then social security goes up, the pension goes down according to a set formula. Further, when a senior goes above the cutoff point of $2600/yr., he or she loses *all* of the pension. Maximum monthly loss from 11% increase: $43. (U.S. Public Law 93-177)

4. SSI: Affects up to $56,000 seniors in Minnesota.

SSI guarantees a minimum income. But for seniors who presently receive social security payments under that minimum there will be no increase at all; every dollar gained under social security is lost under SSI. Maximum monthly loss from 11% increase: $16. (U.S. Public Law 93-627)

5. Non-service disabled veterans pensions: Number of Minnesotans affected unknown.

This pension program provides a pension for veterans disabled while out of the service. The maximum income allowable for a single pensioner is $2600 per year. When seniors gain in social security, they lose some of these pension benefits. Further, a social security increase which would push a senior over $2600 per year would result in a loss of total income. (U.S. Public Law 92-198)

6. Minnesota Rent and Property Tax Credit for Seniors: Affects 282,000 seniors in Minnesota.

Seniors with an income below $6000 per year can deduct part of their rent or property tax from their Minnesota income tax. But this too is tied to income, and since the schedule is in steps with sharp drops in the credit allowed as income increases, most seniors will lose 7% to 30% of their social security increase. Maximum monthly less from 11% increase: $120. (Minn statute 290, Article XVI)

Overall effect of increase: Some 282,000 seniors in Minnesota will not receive a full 11% increase in income this year. Some will get a couple of dollars less than 11% each month. Some will only get half the increase. And some seniors will have a smaller net income after the increase than before.

What is needed: Federal legislation to either: raise federal benefits at the same rate as social security, or to ban any loss of federal benefits due to social security increases.

State legislation to raise the rent credit scale at the same rate as social security, and perhaps to also eliminate the sharp drops in the rent credit scale for seniors.

Mr. MONDALE. As my colleagues know, the sad thing is that we have been through all this before. In 1972 I introduced and the Senate passed legislation that would have prevented the elderly from losing benefits when social security is increased. Unfortunately, no comparable provision was approved by the House, and the measure was deleted in conference committee.

Today I and Senator HUMPHREY and Representatives DON FRASER and JOSEPH KARTH in the House, are introducing legislation that we hope will get at this problem for once and for all.

Since the last "pass-through" was approved by the Senate, we have created a new guaranteed income program, supplemental security income—aid to the aged, blind, and disabled. The problems of implementing that program and the transition from the former aid to the aged program have caused great confusion among many senior citizens in Minnesota.

Senator HUMPHREY and I and others have already introduced an amendment which would assure that Federal SSI payments go up automatically when social security goes up. The bill we are introducing today would also require States to raise their contributions to SSI enough so that no one loses any benefits when social security payments increase and would provide for Federal payment of 50 percent of any increased costs to the States.

This bill will also assure that the elderly do not lose other essential benefits—food stamps, medicaid, public housing, and veterans pensions—when their income rises due to a social security increase.

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

S. 3588

A bill to amend the Social Security Act to prevent State supplementation benefits from being reduced on account of increases in the level of benefits payable under the Supplemental Security Income Program, to prevent certain individuals from losing Medicaid eligibility because of increases in social security benefits or supplemental security income benefits, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title XVI of the Social Security Act is amended by adding immediately after section 1616 the following new section:

"OPERATION OF STATE SUPPLEMENTATION PROGRAMS

"SEC. 1617. (a) In order for any State (other than the Commonwealth of Puerto Rico, Guam, or the Virgin Islands) which has in effect a program of supplementation payments described in section 1616(a) to be eligible for payments pursuent to title XIX, with respect to expenditures for any calendar quarter which begins—

"(1) in the case of a State which on the date of enactment of this section has in effect such a program, more than 60 days after the date of enactment of this section, and

"(2) in the case of a State which on the date of enactment of this section does not have in effect such a program, after the calendar quarter in which supplementation payments are first made under such program,

such State must have in effect an agreement with the Secretary whereby the State will—

"(3) continue to operate such program,

"(4) maintain, under such program, a level of benefits which is not lower than the level of benefits under the program for the first month that the program was in effect, or (if later) January 1, 1974, increased by—

"(A) in the case of a State that has in effect such a program on the date of the enactment of this section, the aggregate amount of the increases which have occurred in the level of supplemental security income benefits payable under this title (as determined under regulations of the Secretary) since the date of enactment of this title, and

"(B) in the case of a State which does not have in effect such a program on the date of the enactment of this section, the aggregate amount of the increases which have occurred in the level of supplemental security income benefits payable under this title (as determined under regulations of the Secretary) since the first month with respect to which payments are made under the program.

"(b) (1) If any State has in effect an agreement under subsection (a), the Secretary shall (in accordance with paragraph (2)) pay to the State an amount equal to one-half of the additional expenditures (exclusive of costs of administration) incurred during any period for which the agreement is in effect, in making benefit payments under the program to which the agreement relates, solely by reason of the meeting, by such State, of the requirement imposed by subsection (a)(5).

"(2) Any amount to which a State is entitled under paragraph (1) shall be paid to such State at such times and in such installments as may be agreed upon between the Secretary and such State; except that, in the case of a State which has an agreement entered into under subsection (b), any such amount shall be payable at the same time as that provided by such agreement for payments due thereunder, with appropriate setoffs being made.

"(3) Expenditures with respect to which a State is entitled to a payment under paragraph (1) shall not, for purposes of section 401 of the Social Security Amendments of 1972, be considered to be payments made under an agreements entered into under section 1616."

SEC. 2. (a) Section 212(a)(3)(C)(i) of Public Law 93-66 is amended by inserting "(except that, there shall not be counted so much of any such benefit for any month as is attributable to any increase made in the level of supplemental security income benefits after the date of enactment of such title XVI)" immediately after "Social Security Act".

(b) Section 212(c)(2) of Public Law 93-66 is amended by striking out "Supplementary" and inserting in lieu thereof "Subject to paragraph (3), supplementary".

(c) Section 212 (c) of Public Law 93-66 is amended by adding at the end thereof the following new paragraph:

"(3) (A) If any State has in effect an agreement under subsection (a), the Secretary shall (in accordance with subparagraph (B)) pay to the State an amount equal to one-half of the additional expenditures (exclusive of costs of administration) incurred during any period for which the agreement is in effect, in making benefit payments pursuant to the agreement, solely by reason of the meeting, by such State, of the requirement imposed by the matter in parentheses contained in subsection (a)(3)(C)(i).

"(B) Any amount to which a State is entitled under subparagraph (A) shall be paid to such State at such times and in such installments as may be agreed upon between the Secretary and such State; except that, in the case of a State which has an agreement entered into under subsection (b), any such amount shall be payable at the same time as that provided by such agreement for payments due thereunder, with appropriate setoffs being made.

"(C) Expenditures with respect to which a State is entitled to a payment under subparagraph (A) shall not, for purposes of section 401 of the Social Security Amendments of 1972, be considered to be payments made under an agreement entered into under section 1616 of the Social Security Act."

(d) The amendments made by the preceding provisions of this section shall be applicable in the case of State supplementary payments made pursuant to an agreement entered into (or which is deemed to have been entered into) under section 212 of Public Law 93-66 for or with respect to calendar months which begin more than 60 days after the date of enactment of this Act.

SEC. 3. (a) Title XIX of the Social Security Act is amended by adding at the end thereof the following new section:

"DISREGARDING OF CERTAIN INCOME IN DETERMINING ELIGIBILITY FOR BENEFITS

"SEC. 1911. (a) In addition to other requirements imposed by law as a condition of approval of a State plan under this title, there is hereby imposed (and each State plan approved under this title shall be deemed to contain) the requirement that—

"(1) in determining, for purposes of establishing eligibility for benefits under the State plan, the income of any individual who is entitled to monthly insurance benefits under title II, there shall be disregarded an amount of the income of such individual derived from such benefits equal to the aggregate of the increases in the level of social security benefits which have occurred since the first month (in a continuous period of months) for which such individual was entitled to such benefits, or, if later, the month of February 1974, and

"(2) if such plan does not confer eligibility for benefits upon all recipients of supplemental security income benefits (payable under title XVI) and all recipients of State supplementation payments (as described in section 1616 (a)), in determining, for purposes of establishing eligibility for benefits under the State plan, the income of any individual who receives any such benefit or payment, there shall be disregarded from any income of such recipient an amount equal to the aggregate of the increases in the level of supplemental security income benefits which have occurred since title XVI was first enacted.

"(b) The provisions of subsection (a) shall be applicable with respect to determinations of eligibility for benefits under a State plan approved under this title with respect to periods which begin on or after the first day of the first calendar month which commences more than 60 days after the date of enactment of this section."

SEC. 4. (a) Subsection (g) of section 415 of title 38, United States Code, is amended by adding at the end thereof the following new paragraph:

"(4) In determining the annual income of any individual who is entitled to monthly benefits under the insurance program established under title II of the Social Security Act, the Administrator, before applying paragraph (1)(G) of this subsection shall disregard any part of such benefits which results from (and would not be payable but for) the increase in benefits under such program provided by section 201 of Public Law 93-66 (as amended by the first section of Public Law 93-233) or section 2 of Public Law 93-233, or any subsequent cost-of-living increase in such benefits occurring pursuant to section 215(i) of the Social Security Act."

(b) Section 503 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) In determining the annual income of any individual who is entitled to monthly benefits under the insurance program established under title II of the Social Security Act, the Administrator, before applying subsection (a)(6) of this section, shall disregard any part of such benefits which results from (and would not be payable but for) the increase in benefits under such program provided by section 201 of Public Law 93-66 (as amended by the first section of Public Law 93-233) or section 2 of Public Law 93-233, or any subsequent cost-of-living increase in such benefits occurring pursuant to section 215(i) of the Social Security Act."

(c) In determining the annual income of any person for purposes of determining the continued eligibility of that person for, and the amount of, pension payable under the first sentence of section 9(b) of the Veterans' Pension Act of 1959, the Administrator of Veterans' Affairs shall disregard, if that person is entitled to monthly benefits under the insurance program established under title II of the Social Security Act, any part of such benefits which results from (and would not be payable but for) the increase in benefits under such program provided by section 201 of Public Law 93-66 (as amended by the first section of Public Law 93-233) or section 2 of Public Law 93-233, or any subsequent cost-of-living increase in such benefits occurring pursuant to section 215(i) of the Social Security Act.

SEC. 5. Notwithstanding any other provision of law in the case of any individual who is entitled for any month after February 1974 to a monthly benefit under the insurance program established by title II of the Social Security Act, any part of such monthly benefit which results from (and would not be payable but for) the increase in benefits under such program provided by section 201 of Public Law 93-66 (as amended by the first section of Public Law 93-233) or section 2 of Public Law 93-233, or which results from (and would not be payable but for) any cost-of-living increase in such benefits subsequently occurring pursuant to section 215(i) of the Social Security Act, shall not be considered as income or resources or otherwise taken into account for purposes of determining, for any month after the month in which this Act is enacted, the eligibility of such individual or the family of such individual or the household in which such individual lives for participation in the food stamp program under the Food Stamp Act of 1964 or for admission to or occupancy of low-rent public housing under the United States Housing Act of 1937, for subsidized mortgages or rentals under title II of the National Housing Act.

SENATOR WALTER MONDALE on Children and Youth Camp Safety

United States of America

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Senate

By Mr. MONDALE (for himself and Mr. RIBICOFF):

S. 3639. A bill to provide for the development and implementation of programs for youth camp safety. Referred to the Committee on Labor and Public Welfare.

Mr. MONDALE. Mr. President, I am pleased to introduce today, for myself and Mr. RIBICOFF, the Children and Youth Camp Safety Act of 1974. This bill is identical to one previously introduced in the House by Representative DOMINICK V. DANIELS.

As chairman of the Senate Subcommittee on Children and Youth, I have been troubled by reports of inadequate safety and health standards in some of the camps to which we entrust our children. No reliable, comprehensive statistics are available on the extent of accidents and illnesses incurred by youngsters while they are attending camp. But the most recent figures show that in the summer of 1973, 25 children died; 1,448 were injured, and 1,223 suffered serious illnesses while at camp. Many of us have seen the disturbing and dramatic press accounts of some of these incidents.

Two years ago, the Congress defeated a legislative proposal to establish Federal standards for camp safety. Instead, Congress directed the Department of Health, Education, and Welfare to conduct a study to determine the extent of "preventable accidents and illnesses" occurring in camps, the effectiveness of State and local camp safety laws, and the need for Federal legislation.

Now that this study has been completed, we can no longer delay definitive congressional action on this problem. I am introducing this bill today with the intention of holding hearings on it and on Senator RIBICOFF's Youth Camp Safety Act before my Subcommittee on Children and Youth. By its approval of Mr. RIBICOFF's Youth Camp Safety Act in 1971, the Senate has already indicated its interest in and commitment to improving youth camp safety in this country. The purpose of my subcommittee's investigations will be to develop the most effective measure for accomplishing that goal.

The subcommittee has scheduled a hearing on these bills at 10 a.m. on Monday, July 15. Parties who may wish to testify are requested to contact the subcommittee at 225–8706.

I ask unanimous consent that a number of relevant documents be printed in the RECORD at this time. They are a legislative history of camp safety legislation, prepared by Library of Congress; two fine articles on the subject which have appeared in the Washington Post, "Remembering Children," from Potomac magazine, and "Protecting Children at Summer Camp," an editorial; and the text of the Children and Youth Camp Safety Act of 1974.

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

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., May 9, 1974.

To: Senate Children and Youth Subcommittee.
From: Education and Public Welfare Division.
Subject: Youth camp safety.

In response to your request, the following is a brief history of legislative activity related to youth camp safety since the 90th Congress.

Since 1967, several bills have been introduced in each Congress to provide for some Federal role in developing and maintaining youth camp safety standards. The bills introduced generally provide for Federal leadership and grants to the States for developing and implementing State programs for youth camp safety standards or to provide for a study of the extent and enforcement of State laws and regulations governing the operation of youth camps. In the 90th Congress, two days of hearings were held on such bills before the Select Subcommittee on Education of the House Committee on Education and Labor, but no bill was reported.

In the 91st Congress, hearings were held before the Select Subcommittee on Labor of the same committee, and the full committee reported out H.R. 763 which authorized $150,000 for a study of the extent and enforcement of State laws and reulgations governing the operation of youth camps. The bill failed to pass the House by a vote of 151–152.

In the 92nd Congress, the Select Labor Subcommittee again held hearings on youth camp safety bills but no bill was reported. Nevertheless, the Senate, on August 6, 1971, passed the Education Amendments of 1971 (S. 659) which included a floor amendment (The "Youth Camp Safety Act") by Mr. Ribicoff, adopted by voice vote, authorizing up to $2.5 million per year for 50 percent grants to States for developing and administrating approved (by the Secretary of HEW) State programs for youth camp safety standards. The amendment authorized HEW to draw up Federal standards for youth camp safety and allow camps certified by the States as being in compliance with those minimum standards to advertise that fact. An advisory council on youth camp safety was created to advise and consult on policy matters relating to youth camp safety and finally, appropriations of $3 million were authorized for each of six successive fiscal years, beginning with FY 72.

In passing their version of the Education Amendments of 1971 (H.R. 7248) on November 4, 1971, the House voted 184–166 to adopt a floor amendment by Mr. Pickle authorizing $300,000 for an HEW study of youth camp safety which would include a discussion of (a) the extent of preventable accidents and illnesses occuring in youth camps, (b) the illnesses occurring in youth camps, (b) the effectiveness of their enforcement, and (c) the need for Federal laws in this field. The results of the study were to be reported to Congress before January 1, 1973.

The Conference committee agreed to the House version (S. Rept. 92–798) but amended the provision to require HEW's report by March 1, 1973. Both Houses adopted the Conference report and S. 659 (by this time known as the Education Amendments of 1972) became Public Law 92–318 on June 23, 1972.

Thus far in the 93rd Congress, there have been several bills introduced to develop programs for youth camp safety. In general, these bills provide for the development of Federal standards for youth camp safety and grants to States to implement programs that comply with those standards. In some bills, the Secretary of HEW is authorized to conduct inspections and fines are proposed for noncompliance by camp operators. Although no legislative action has yet been taken in this Congress, the House Select Subcommittee on Labor is scheduled to hold hearings in the very near future. In a related matter, the HEW report on youth camp safety required by P.L. 92–318 was released on April 29, 1974, and its major findings and recommendations are enclosed.

If I can be of further assistance, please let me know.

TOM WANDER.

[From Potomac magazine, Feb. 4, 1973]

REMEMBERING CHILDREN

(By Colman McCarthy)

What is worse for parents than the death of a child? Only this—when the death is accidental, needless and could have been avoided. No parent, whether a Vietnamese mother whose child was killed by American bombing or an American father whose son was killed because of corporate negligence, ever fully recovers. Interior peace, the most valuable kind, is forever gone. One reaction to losing a child needlessly is to push the event from the mind, send it trackless into the inner space of memory where it will remain forever but at least be traveling in a random orbit away from the soul. Bury the dead and let life go on. Another reaction—more rare, more heroic—is to keep the tragedy fresh and current by alerting others that the conditions by which your child was killed still exist. Other children may die needlessly, perhaps yours. This is the vocation of the lantern—lighting it, going out into the darkness of unconcern and apathy, trying to focus on a major national tragedy but illuminating only small corners, not whole rooms. Who listens? Who cares?

A letter came in November 1971 from a Westport, Connecticut, furniture salesman named Mitch Kurman. Handwritten, in sprawling script, he asked if I would consider writing an editorial for The Washington Post supporting legislation for a youth summer-camp-safety bill. The Senate, Kurman's letter explained, had already passed a bill with a unanimous vote of 53–0. The House would soon be debating similar legislation, choosing between a bill that was much weaker. Kurman's letter ended by saying that a Post editorial on summer-camp safety would be timely and possibly helpful. Letters asking for editorial support are common but usually they come from a politician—senator or congressman—who has sponsored a particular bill, from a trade association whose interest is totally vested, sometimes from a lobbyist looking out for a client. Here's our bandwagon, the letters commonly say. Just hop on, we're going places. Kurman's letter had to be treated with a certain amount of cautious skepticism, but it was clearly different from most of the others. It was from a private citizen, on plain stationery, and about legislation that obviously could be of no financial or political benefit to him.

A few days later, after researching the history of summer-camp legislation, speaking with four or five Senate and House staff people, and talking with my editor, the Post ran

an editorial. It supported the bill of a New Jersey Democrat, Dominick Daniels, that called for strong safety standards for summer youth camps. These minimum federal standards could then be administered by the states; the latter would receive up to 80 per cent funding from the federal government to administer them. The Daniels bill, presented as a new title of the Higher Education Act, was an effective approach because it provided incentives to let states run their own programs while insuring that nationwide standards would be met. Thus, a camp in one state would have the same minimum standards as a camp a mile across a state line or a camp 2,000 miles across the country.

Many children are sent to safe, well-run camps where supervision is firm and accident prevention is taken seriously. This is not true for all children, however; many are at camps where counselors have little knowledge of dangerous waters or trails, where safety equipment is not provided, where safety and health inspections are rare or nonexistent. The statistical breakdown between safe and unsafe camps is not known. A possible guide is that out of 11,000 camps in the country, only 3,500 are accredited by the American Camping Association, and even then the A.C.A.'s inspections are not strict. Only twenty-six states have legislation concerning sanitation. About fifteen have safety regulations that would be meaningful. Only three or four make reference to personnel. Over the years, Congress had passed all kinds of bills to protect alligators, coyotes, birds, and bobcats but it was not yet concerned about the 250,000 children annually disabled from camp accidents. A week later, the House debated the youth camp-safety bills. It rejected the Daniels proposal and in its place approved an amendment offered by Representative J. J. (Jake) Pickle, a Texas Democrat. This called for a survey of the situation. Three Congresses—the 90th, 91st and 92nd—had held hearings on summer-camp safety, taking testimony from dozens of informed witnesses; but Pickle thought more study was needed and, incredibly, the House agreed. Taking a survey is a favorite Congressional stall, a manana maneuver that delays and confuses.

For the supporters of the Daniels proposal, the backing of another defeated bill meant little. We took the stand we thought was right, but in the end the defeat of the Daniels bill was only another mark in the won-lost columns. In the weeks after, though, I kept wondering about Mitch Kurman. Was the defeat only a passing event for him? Did he go on, as we did, and take up other issues, shelving camp safety until it would come up in a future Congress? The questions bothered me, so I phoned Kurman and asked if I could visit him in Westport. He seemed surprised—"I usually have to go to the press, instead of the press coming to me"—but we arranged a date convenient to both of us.

Mitch Kurman, 48, the grandson of Jewish immigrants and the father of two daughters, is a furniture-manufacturers' representative. He knows what the factories are making and what the stores are selling and puts himself in the middle. The work takes Kurman throughout New England and down the East Coast. Self-employed, his office is in his basement; both his wife, Betty, and his father help on the paperwork. Although Westport has the image of a fashionable and smart-set community, the Kurmans live in an unsplashy neighborhood, a few block off the Merritt Parkway. Kurman is short, gentle-speaking, and totally gracious. His life since August 5, 1965, has been one of lonely non-adjustment, a vigilance that has tried to disturb the peace that calmly allows 250,000 children to be injured every year and large numbers killed.*

"My son David was drowned in a canoeing accident in Maine that August," said Kurman, seated on the living room sofa. "I am not a wealthy man but I am not pleading poverty either. I guess you might say I am a man of possibly better-than-average means. I did not want David growing up in a goldfish bowl of Westport. I thought it would be good for him to get around. The boy loved to read. He was a fine student and I thought it would be good for him to go off to a camp and learn something about the outdoors. The camp we sent him to was in New York State, run by a YMCA in Rochester. The camp sent us a brochure which I think would satisfy anyone had they looked at it and studied it. I certainly had the utmost confidence in the boy's ability to swim and I certainly did not expect anything like a drowning. I expected adventure. I expected fun. I expected good, hard work, and I expected him to be paddling, which is what I wanted and which is why I sent him there. I did not send him on any expeditionary situation, something to endanger his life."

On August 5, the YMCA group made its way to the west branch of the Penobscot River near Millinocket in Maine. The campers were going down a section of the river called Passamaquoddy Falls when a number of the canoes were overturned by the rough waters and jutting rocks. The YMCA counselor had not supplied the boys with life jackets. "When David was killed," Kurman said, "it took a three-and-a-half-day search to find the boy's body. The waters the group tried to pass through were a raging hell-hole that no man in his right mind would ever attempt. I graduated from Cornell as a biologist and if I was ever told to investigate that water, I would probably sit on a riverbank and write out a report. I would not go into that water. When I went up to look at the waters myself, I learned that the Great Northern Paper Company has a large paper mill in the area. They shoot their cords of pulpwood logs to the mill downriver and in this stretch where David was killed, the logs actually tumble end over end."

Kurman speaks emotionally about the negligence of the YMCA and it is hard not to suspect that perhaps he exaggerates; after all, it is an unsettling subject. On checking the record, however, Kurman, if anything understates the situation. In a trial held in district court in New York in May 1971—the case took six years to reach a judge—Kurman won a settlement of $30,000 from the insurance company of the YMCA in Rochester. Among those testifying were the chief of police in Millinocket, a deputy sheriff, and two of the boys on the trip. The police chief testified that the canoes used by the YMCA were unsuitable for the rivers because they had keels, good only for placid waters, not rapids. The sheriff testified that the YMCA counselors, intent on making time, would not participate in a search for the Kurman boy after the canoe overturned. Instead, the paper company closed down its operations and sent out special search parties to find the boy. In his suit against the YMCA, Kurman charged that the leaders of the trip were inexperienced, had selected waters which were dangerous for canoeing, had no life jackets for the boys, and no ropes or snubbing poles to guide the canoes away from the rocks. The defense called no witnesses. Kurman recalls the irony of the phone call from the YMCA following the accident. "They told me—bluntly and coldly right over the phone—that David drowned because he disobeyed instructions."

Shortly after the accident, Kurman made the first of what would, in six years, be hundreds of journeys to get legislation for camp safety. "Maybe I just should have forgotten about the whole thing," he said. "People tell me I'm a little crazy for keeping with this tragedy all these years, since nineteen sixty-five, with no let up. They mean well and they tell me to relax, forget about the past. They ask me how I don't go out of my mind to fight this. The facts are the opposite, though. I'd lose my mind if I knew these conditions existed and didn't do anything. A friend of mine, a kind guy, says maybe a psychiatrist could help me forget about David and about camp safety. He means well but isn't it strange? I don't need a psychiatrist. I'm normal. My friend needs the help. He looks away from the reality."

The first trip after the accident that Kurman made was to the office of New York Governor Nelson Rockefeller. "I was naive. I thought if you brought this to the attention of the officials they would do something, they would tighten up on the situation so it wouldn't happen again. I certainly did not expect to see my own boy alive again, but I felt why should this happen to someone else's child? I brought it to their attention and I asked them if they could tighten up to prevent similar tragedies that might happen with other children sent to camps in New York State. I was told, 'Well what do you expect us to do?' I said, 'There must be some legislation. There's a law for spitting on the sidewalk. There ought to be a law for taking care of the camps for children.' They told me, the people in Rockefeller's office, that the camps in New York have to comply with the sanitary code. I asked what that meant and they said that it simply means safe food and safe water. I asked, 'What about personnel?' and I was told they were not concerned with personnel. So I asked how are you going to determine if a camp is safe when I want to send a child to one? I was told, 'They print brochures, that's how you tell.' I was amazed that they said that, because the next summer after David was killed, the camp issued the same brochure it had sent me a year earlier."

The experience with Rockefeller's people jolted Kurman. Like most citizens, he believed that once you told elected officials that something was wrong, they would change it. Moreover, this particular issue involved kids—keeping them safe. Who would not be for that? Kurman was soon to find out.

Because his furniture work took him to about a dozen state capitals, Kurman was able to get to the politicians. He also went to the newspapers, television and radio stations to get their support. (Kurman has a file weighing more than 100 pounds, filled with clippings from the New England and national press.) The media rallied behind him, with a few exceptions. As for the politicians, they also were for camp safety, at least while Kurman sat before them explaining the problem. "Sure they were," he said. "Here I am in their office, telling them about my boy who drowned, what else can they say?" Yet saying and doing are not the same, and Kurman discovered in New York what was to become a long agony of consensus solutions. He found an assemblyman in Albany who sponsored a law calling for life preservers while in pleasure boats. "It was a mild bill," said Kurman, "just requiring that people strap up in a life preserver when they took to the water. It passed the assembly a hundred forty-seven to three. But on its final reading the bill was starred. This is a technical term meaning that the legislation is temporarily dead until the star is removed. I begged the majority leader of the assembly to remove the star—because he had the power to do so—but he declined. So the bill died.

"I kept at it. In the next session, I spent at least one hundred hours lobbying for the bill—personal visits to Albany, to Niagara Falls to see a state senator, to Utica to see an assemblyman, to Astoria, Queens, to see another assemblyman. This time the bill passed, Rockefeller signed it, and I said to myself, well, the system will work if you just keep at it. But I was astonished to find that in the final version of the bill an exemption was made—for private ponds and lakes, exactly the waters where most of the summer camps are located. So there was really no law at all, as far as I could see. In fact, the law that was passed was worse than no law at all, because now parents would be fooled and think their kids were protected at camp." Kurman has never been able to find out who slipped the exemption through.

When he went to work on the Connecticut legislature, known as a fickle group, Kurman found that the editorial support of the state's newspapers—from the small and conservative Greenwich Time to the large Hartford Courant—had already alerted the politicians. Grimly, something else also aided the chances for a life-preserver law. While the bill was being debated in committee, five teen-age boys in Fairfield County took a small sailboat into Long Island Sound in rough waters. Only two life jackets were on board. The boat capsized, with three boys drowning and two surviving. The latter had on the life jackets. Although the politicians, moved by this tragedy, which was felt throughout the state, quickly passed the law, Kurman noticed there was still pressure to weaken it. Several groups, representing camp operators, were involved. Kurman wrote to the state's Department of Agriculture and Natural Resources in Hartford and found a sympathetic official in Bernard W. Chalecki, director of the Boating Commission. Chalecki replied that when the law went into effect many requests were received from the Boy Scout camps asking for exemptions. The Boy Scouts said they could not afford to buy a sufficient number of life-savings devices, so the law should not apply to them. The Boating Commission never granted the exemptions. An irony of the Boy Scout request is an article from a Boy Scout magazine titled "Trip Fun with Safety." "Life vests or jackets should be standard equipment for every canoe trip—one for every person in the party. These life vests are to be put on and worn by every person on all occasions when conditions of weather or water indicate there is any possibility of danger of upset or swamping from wind, waves, rapids or other causes. They are to be put on before the danger area or time is reached and kept on until after the time of hazard has passed . . ."

Kurman's eye easily saw the sparks of contradiction flying off this flinty opposition. "There are the Boy Scouts—holy, pure and all-American, preaching safety for the public to behold but all the while trying to get around the law in quiet." The Boy Scout evasiveness has not been confined to Connecticut. They have been at work in Texas also. State Senator Lane Denton from Waco wrote to Kurman in March 1971 that a youth camp-safety bill had been introduced by him in the Texas legislature and sent to a subcommittee. Even at that early stage, Denton said, "the main opposition was from the Boy Scouts and the private camp operators." With wit, Denton added that since these two groups were opposed, "this type of legislation is definitely needed." Four months later, Denton wrote to Kurman with the bleak news that his bill had died in subcommittee. "The Boy Scouts led the fight against the bill," Denton said. It would be eighteen months before the Texas legislature would again meet.

At the same time Kurman was going after the state politicians, he was also coming to Washington. A national bill was his goal. In six years, he believes he has seen every senator (or every senator's legislative assistant) and nearly all the representatives. One of those on the Hill visited by Kurman in the early days and who has stayed with him since is Dan Krivit, chief counsel for the House Select Subcommittee on Labor. His subcommittee was the pad from which a youth camp-safety bill would be launched, if at all. "I remember when Kurman first came around," Krivit recalled. "He was emotional. He did all the talking. He made demands. He damned congressmen as do-nothing politicians. God, he came on strong. But I have a rule—that you have to distinguish between the guy who has facts and the guy who has bluster. You can tell soon enough. We see a lot of special-interest people who are mostly big talk with small arguments. The appeal of Kurman was that he had a command of the facts. I was able to check them out pretty quickly and see that he was right."

Another whom Kurman saw in his early trips to Congress was Representative Dominick Daniels of New Jersey. A kindly man who works hard but one of the anonymous herd of low-profile congressmen, Daniels took an interest in Kurman and agreed to hold hearings. In July 1968, he told his colleagues

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*Statistics on camp fatalities are hard to come by. In 1965, the Mutual Security Life Insurance Company of Fort Wayne, Indiana, make a study of 3.5 million campers, mostly children in organized camps. Between the years 1962 and 1964, 88 death claims were submitted.

kids killed here because of bald tires on the camp truck that crashed, two drowned there because of no life jackets; one kid sexually molested by a deranged camp counselor who was hired on without background checking, two children killed when they slipped on a rocky ledge that a counselor led them on against the advice of a park ranger. Each story is tragic, and I wonder how Kurman can absorb it all. Each letter and call ends on the same note, that Kurman had recently been to see another congressman and persuaded him about the need for a camp-safety law.

PROTECTING CHILDREN AT SUMMER CAMP

With considerable persistence, not to mention faith in his fellow legislators, Rep. Dominick V. Daniels (D-N.J.) is holding still another round of hearings on the proposed Youth Camp Safety Act. His efforts go back to 1966. Rep. Daniels stated recently: "In the last three Congresses, I have held hearings on youth camp safety with the aim to bring an end to the tragic waste of young lives occurring each summer because of the dearth of health and safety standards for youth camps. There have been many horror stories brought to my attention."

Some 8 million youngsters attend summer camps. The most recent statistics—from the Center for Disease Control in Atlanta—reveal that in the summer of 1973 25 deaths occurred, with 1,448 injuries and 1,223 serious illnesses. But these figures were mostly based on voluntary questionnaires to camps (with less than half in the 7,800 sample reporting) and news clippings. Such a spotty way of gathering information is not only indicative of the lack of concern about summer camp safety but is also part of an ongoing pattern. HEW itself was required by Congress to study the issue—an evasive solution reached by a House-Senate conference committee—but could come up with only a 16-page report issued a year late. Even then, Rep. Peter Peyser (R-N.Y.), a cosponsor of the House bill, called the report "inconclusive" and "useless."

Among the old and well-known facts presented by the HEW report was that current state laws are "grossly inadequate." This is the main reason for bringing in federal standards. Many states have no camp safety laws at all, and of the ones that do only a few enforce them to any meaningful degree. Thus, it is often left to the conscience or goodwill of the individual camp owners to provide the most in safety. Many owners are strict and do all they can for the children, but what of the ones who are not? Should they be allowed to set up a camp? How can parents tell the difference between safe and unsafe camps? By scanning the brochures? As for self-surveillance, only 3,500 of the nation's 10,600 camps are accredited by the American Camping Association.

The proposed Youth Camp Safety legislation of Rep. Daniels establishes minimum federal safety standards which the states can assume on their own—states that do not act will be subject to HEW authority—with HEW paying up to 80 per cent of the costs. The Senate is considering a bill that is weaker, because it would only provide funds for states that wish to adopt a youth camp safety program, leaving unprotected children in states that refuse to comply. The weakness of this approach is the poor record of the states in adopting youth camp safety legislation. Since hearings began three Congresses ago, only six states have upgraded their laws to the point of being comprehensive. Hope is offered in the Senate, however, because Sen. Walter F. Mondale (D-Minn.) will soon introduce another bill, one as strong as the Daniels' proposal in the House.

Too many children and their parents have learned the hard way that summer camp safety is a much neglected issue. It is shameful that only Rep. Daniels and a few others—including private citizens using their own time and money—have been active in this lonely campaign. What is needed now is a strong commitment from HEW, the kind that has been lacking for so long and in part has been contributing to the many abuses within parts of the camping industry.

on the opening day of testimony: "This morning we take the first major step forward to provide minimum federal safety standards for summer camps across the nation. We must identify the nature and magnitude of such problems as may exist and consider whether state and local regulations are adequate to deal with them. If we determine during the course of these hearings that a significant problem exists, I pledge that I will do everything in my power to ameliorate the situation. Summer camps deal in what is perhaps the most precious commodity we have—the lives of our youngsters."

Although the hearings were a success and glowing statements of support were heard for the Daniels bill, nothing ever came of them in the way of legislation. Dan Krivit said that "we couldn't muster enough enthusiasm." Kurman was dismayed that Congress did not act, particularly when the American Camping Association—which is not a militant group—endorsed the Daniels proposals. Although Kurman had been around politicians enough by now to know that most of them were banal lightweights, he still had faith that change would come. At the hearing, he finished his testimony by saying: "I want to thank you, Chairman Daniels. I think it is a wonderful thing when an ordinary citizen of this country can go before the respesentatives that we have and get a hearing such as I have had. It certainly does far, far more for my feelings toward this wonderful country we live in than anything I have ever read in textbooks or anything else, and I want to thank you very much." Dan Krivit, who was present for these words, said that some of the politicians were touched by Kurman's sincerity. "He sounded almost corny, even a little pious. But nobody in the room moved a muscle or shuffled a paper when he spoke."

Daniels and Krivit, as disappointed as Kurman that nothing resulted from the hearings in the 90th Congress, immediately called witnesses for a new set of hearings early in the first session of the 91st Congress. By now Kurman was becoming a wise pool player, alert to all the political angles between which legislation continually caroms. He became a regular visitor to Washington, going up and down the halls of the Cannon office building, the Rayburn building, the new Senate office building and the old Senate office building, spreading out his facts to the politicians and their aides. He found senators more congenial. "They are in for six years, so they are free from the pressure the representative gets. Their constituency is wider also, so they don't have to fear the special-interest groups."

In the House, Kurman was often amazed to find friendly receptions from men and women who "were on the wrong side of every issue I cared about except youth and camp safety." On this, they wanted a strong law, and they said so. Following hearings, the best bill to get out of the committee was one calling for a survey. An authorization of $175,000 was requested. This was a weak bill, much flabbier than the Ribicoff bill which was now making its way through the Senate and had, in fact, been voted in the Congress before. Kurman was bitter when the House voted down even the weak survey bill, 152–151.

As though it was decided that a poisonous pesticide should be sprayed once and for all at this bothersome gnat from Westport, H. R. Gross, an Iowa Republican known for his passion for saving the taxpayers' money (though not on defense spending), spoke up. A survey for $175,000? asked Gross. What folly. Gross warned that if the House did not watch out, it would soon be sending federal "wet nurses" to look out for the kids in camp. A columnist for the Washington Star also checked in with his wit. "Maybe someone ought to make another approach" rather than the survey, wrote John McKelway. "Why not let the National Institutes of Health see if it can find a cure for homesickness?" Turning serious, McKelway said that it it wasn't for "that small item of $175,000' it would "probably be safe to say this piece of legislation is the most innocuous thing to have faced the 91st Congress." Kurman had become accustomed by now to the hidden opposition of the Boy Scouts and the private-camp operators but being laughed at was devastating.

Although the public argument against federal legislation for camp safety was that the states could and should do the job themselves, Kurman believed another reason existed also—money. "Let's face it," he said, "safety costs money. Spending money for things like life vests, sturdy boats, qualified personnel, well, it means you have an expense you might otherwise cut corners on. Running a camp is a business. There's nothing wrong with that. Profits aren't evil. They only become bad when you risk lives for the sake of making more money."

Instead of being depressed by the brutal defeat he had taken, Kurman became even more dogged. He kept in close contact with Dan Krivit and Dominick Daniels. Both advised Kurman that not much more could be done in the 91st Congress; let things ride. The only source of encouragement was in two pieces of legislation that were now on the books: the Coal Mine Health and Safety Act and the Occupational Health and Safety Act. Both required that standards be set and enforced by the federal government. If Congress could approve of this kind of "federal interference" that would affect industries with earnings in the tens of billions, why couldn't a camp-safety bill—involving only one industry—be passed also? Even more compelling was another fact: if the employees of the camps were now covered by a federal safety law why not the children? Yet even this encouragement had a bleak side to it. In 1969, Congress had passed a safety-and-health law for coal miners all right, but it had been considering the law since 1951—eighteen years and thousands of dead workers before. Camp safety had only been an issue for six years and the total number of corpses was still only in the hundreds. Have a little patience, Mr. Kurman.

Going to the post for the third time, Daniels held hearings in July 1971. The same facts of tragedy and negligence came out, facts that by now were trotted out like tired dray horses. This time, the House was faced with a choice of five bills, while in the Senate the Ribicoff bill still stood. The scene was quiet until November. Kurman again came to Washington. The pressure was on because it was known that the House would soon debate the camp-safety bills as an amendment to the Higher Education Act. I spoke with Kurman and was amazed at his fullness of hope, that he still talked as if he had discovered the outrage only that morning. "I have faith in Congress," he said. "Do you know that there are a lot of them I've persuaded since the last session?" He ran off a few names, less known to most Americans than the second-string line-ups of baseball's expansion teams. Yet they were people who had power over our lines. On November 4, the House, working well into the evening, argued camp safety, now known as Title 19 of the Higher Education Act. Kurman had allies who knew their facts and argued forcefully.

Rep. John Dent of Pennsylvania: "Does anybody in this place really believe that these camps in America are all safe and quiet little havens? Let me tell you something. The brochures they have in most instances on these camps are so antiquated that they do not even cover or resemble what the camp looks like when the children are sent there by their parents. Anybody can be hired. No one needs to pass any kind of examination or test of any kind. There is not even a simple qualification or requirement as to their ability for training or anything. A camp is an open place with absolutely no requirements as to who can run them and who cannot run them or who shall be allowed to run them. This is the only place in the whole activity of youth in the entire country where there is not one single federal regulation as to even minimum requirements for safety."

Another voice was from a New York Republican, Peter Peyser. Referring to the arguments calling for inaction or delay, he said, "I must say I am a little amazed by some of the things I am hearing said about camp safety here. There is a problem of camp safety but people seem to be saying, 'We do not have any statistics dealing with safety in camps.' Statistics are very simple. I have a list right here of thirty-five children killed this past summer, and this is one section of the country. They were all killed in camps; killed in accidents, for the most part, which never should have happened. There were six drownings with no life-guards on duty. Six were killed in a truck with a teen-age girl driving on the highway, who had no proper license to drive a group of children, and there were no regulations in the camp as to who would or could drive. We have lists from California, New Hampshire, Connecticut, Massachusetts, Minnesota, Oklahoma—I can name all these states with deaths in this year. There were thousands of accidents."

However peruasive these arguments were, Jake Pickle of Austin, Texas, would have none of it. His opposition remained firm. For one thing, "as an Eagle Scout, I think I know what safety means in any camp . . . Let us not get trapped into supporting the Daniels bill . . . Support my substitute, and then we can have a study and have some facts to determine what to do." Ironically Pickle was now calling for the same survey idea which two years earlier had been voted down by the House and mocked by the Washington Star columnist. "This is progress," Kurman said. "We will eventually have a camp safety law. Everyone knows this, so the people like Pickel try to poke along in slow motion because they know they can't stop it. I can't give up. I have to keep snapping at them."

The position of Eagle Scout Pickle was based less on the rightness or wrongness of the issue than on what his constituents demanded. Pickle said on the House floor that he had numerous wires from "a dozen or more major camps in my district strongly opposing this measure (the Daniels bill), saying that the states ought to have the right to enforce any such standards."

Coach Darrell Royal, for example, who ran Camp Champion when he wasn't on the gridiron, had wired Pickle. So did the Dallas YMCA "representing many of the YMCAs of Texas."

Pickle did not come on as a Neanderthal who wanted the law of the cave to prevail. Instead, he pictured himself as one who truly cared about the children. "Everyone," he said, "is in favor of camp safety. There is not a man or woman in this chamber who would vote against saving the lives of children. But Mr. Chairman, we must mix in some judgment with our fervor. I think the intent of the committee's legislation is good and I support that intent. However, I think we may be premature in our action today. This legislation would create a new bureaucracy with strong regulations, inspections, and enforcement through fines and injunctions. Mr. Chairman, I will readily admit and even support legislation which might save the life of even one child away at camp. I know in my own mind that there are camps in this country which may need policing . . . I do not think we know enough about the problems of camp safety. I am not certain in my own mind if the bill before us even goes to the heart of the matter. And before we jump with the solution, I think we would be wise first to survey the needs. I think we should first have a comprehensive study to seek out the basics, like how many camps exist, who runs them, what kind of safety training exists for their personnel, what is the true accident record, and all the pertinent questions which must be asked."

H. R. Gross, Mr. Money Saver, was not heard this time around on the idea of the survey, even though the cost was now up to $300,000. As a final irony, Gross joined Jake Pickle and 182 others in voting for the survey amendment of Pickle and against the standards bill of Daniels. Only 166 supported the latter. The survey amendment joined the Ribicoff bill in the Senate and went into conference committee—a parliamentary device where a final bill is drawn up in closed sessions, reconciling differences between House and Senate versions. The Ribicoff bill, while superior to the survey, was still basically weak because it only allowed states to adopt HEW standards, rather than requiring them to do so. Thus, if Texas or any state doesn't want to get in line, it doesn't have to. Indeed, there is small chance they will. Oddly, one Texas congressman who has been friendly to Kurman and who voted against the Pickle survey and for the Daniels bill, was Bob Eckhardt. "I was under a great deal of pressure to oppose the legislation (the Daniels bill) and received many letters from camp owners and directors from all over the Southwest," Eckhardt wrote Kurman. "I cannot tell you how much I admire your fine work. It is most unfortunate that it takes such personal tragedies to wake the country up. I sometimes fear, however, that the power of the special-interest lobby groups to defeat pro-people programs is limitless."

I was with Mitch and Betty Kurman in Westport in mid-spring 1972 when the conference committee was wrangling over the Pickle and Ribicoff bills. Kurman was in high spirits, at the prospect that the committee would go along with the Ribicoff approach. "I'm sure they will," he said with excitement. "They know what a long fight this has been. They know what kind of action is needed, and even then the Ribicoff approach is a mild one. I've spoken to every man and woman on the committee at least once, some of them two or three times. They know me." Shortly before lunch, a phone call came from Washington. Kurman took it, and five minutes later came back to the living room, stooped over, silent, slumping into the sofa. "They settled on the Pickle survey bill," he said.

He and Betty were silent for a few minutes, each with their own feelings of sadness. But they had a rage too. "We have a terrific system," Kurman said, echoing his lofty statement in the House hearings five years before. "But money corrupts. Everybody thinks politicians have power but when you talk to politicians, they say 'What can I do? I'm only one congressman, I'm helpless too.' You hear that from senators. Imagine, a United States senator saying he's helpless. I remember talking to Hubert Humphrey—he told me there are 'powerful forces' at work against the camp-safety bill. But when I asked him specifically who these powerful forces were, Humphrey had nothing to say. For the first time, he was speechless. It comes down to this. For every profitable industry you have a lobby to protect and a group of politicians to protect the lobby. It's like the new double-protection door locks that are selling so big to keep the thieves out. But the lobbying-political complex keeps the thieves in so that the public never sees them. But they steal and rob from us all the same. They stole our son."

Most of the political defeats recorded in American life are suffered by persons holding or seeking office and who, on election day, are rejected by the voters. But politicians are not the only ones who are struck down by political defeat. Common citizens, obscure, self-supporting, and in debt to nothing but a conscience, are rejected also. Newspapers and news shows are filled with reports on primary campaigns, delegate counts, the pointless polls and the useless speeches, so only occasionally is anyone aware that a struggle involving a lone citizen is going on. The defeat suffered by Mitch and Betty Kurman was filled with frustration, anguish, and gloom, yet personally the Kurmans were not beaten; they held or sought no office and they cared nothing about political parties. In reality, the defeat was one for the American political system, for the goal of participatory democracy that glowing speakers yak about to college students at graduation time. The story of Mitch Kurman suggests that the excitement of electing a new president may be the smelling salts by which the public apathy is revived but it will barely disturb the near-dead feeling of the wealthy industries supported by forceful lobbies and the Jake Pickles.

I continue to get calls and letters from Kurman, and I write to him. Mostly he sends along clippings of camping accidents—six

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Senate

Mr. MONDALE. Mr. President, my amendment to the Foreign Military Sales and Assistance Act [illegible] would direct the President to convene an international conference on conventional arms. The purpose of such an international conference of arms supplying nations would be to negotiate, at the earliest possible moment, an agreement which would place a workable ceiling on such arms transfers, and establish a mechanism through which, once such a ceiling has been achieved, the level of arms transfers may be progressively reduced. My amendment would also direct the President to make a detailed report to the Congress within 6 months on the progress of this conference.

Mr. President, during last week's summit with General Secretary Brezhnev, the President signed a new "Declaration of Principle" setting out guidelines for achieving a treaty limiting the number and quality of strategic nuclear weapons. This is a hopeful accomplishment.

While attention is focused on progress toward the further limitation of strategic weapons, the need to control the international sales trade in conventional arms is ignored. Yet, the international trade of conventional arms has reached such proportions that world peace may be threatened less by the prospect of immediate nuclear warfare than by the escalation of local conflicts, fought with conventional arms, which can expand into wars between major powers, fought with nuclear arms.

There is a little-noticed irony in two major decisions taken by the administration in recent weeks. At a time when starvation and famine haunt Western Africa, the President announced that as part of his phase IV policy he is seeking greater authority to limit our agricultural exports. In the same month, the President authorized the sale of F-5E military aircraft to Chile, Argentina, Brazil, Colombia, and Venezuela. Several weeks ago, the administration also concluded an agreement in principle to sell F-4 Phantom fighter bombers to Saudi Arabia and possibly Kuwait. In March, the administration announced that it was resuming the sales of arms to Pakistan and India. And Iran has purchased some $2 billion in arms in the past year and a half.

As George Thayer writes in the War Business: The International Trade in Armaments:

> No nation has spoken so passionately in favor of nuclear controls, yet no nation has been so silent on the subject of conventional arms controls. Nor has any nation been as vocal in its desire to eradicate hunger, poverty and disease, yet no nation has so obstructed the fight against these ills through its insistence that poor countries waste their money on expensive and useless arms.

In a seemingly desperate effort to counter the disastrous effects on our balance of payments of our profligate military expenditures abroad, the administration has moved, over the past 2 years, by force and with no congressional or public debate, into the international arms trade business.

U.S. arms sales on a government-to-government basis will reach nearly $4 billion in fiscal 1973, which ends June 30. This figure is approximately double the fiscal 1971 sales of $2.07 billion and quadruple the fiscal 1970 sales of $914 million.

Indeed, the Pentagon's Defense Security Assistance Agency, which negotiates arms sales with foreign governments, has 13 employees in the sales division who do nothing else but sell arms.

Having undergone years of waste and violence, are we trying to redeem ourselves by contributing to waste and violence on the part of others—particularly the less developed nations?

A recent U.S. News & World Report article entled, "Now: A Worldwide Boom in Sales of Arms," concluded that—

> While world leaders talk hopefully of a "generation of peace," the world goes right on buying and selling at a record rate.

Due to the efforts of my distinguished colleague, the Senator from Delaware (Mr. ROTH), the Arms Control and Disarmament Agency was required to submit to Congress a comprehensive report on the international transfer of conventional arms from producing to recipient countries. The findings of this study make it clear that an international conference on conventional arms control is greatly needed. According to the study, prospects are that international arms sales will expand still further in the years ahead, as arms-supplying nations develop new weapons systems and begin seeking markets for outdated equipment. As this occurs, effective arms control may become even harder to achieve.

The report shows that the value of world arms trade, in current dollars, has increased from $2.4 billion in 1961 to $6.2 billion in 1971. As arms transfers among the developed countries have stayed relatively level during this period, most of the increase was in grants and sales to developing nations—particularly in areas of conflict or confrontation such as Latin America and the Middle East.

This 1971 total of $6.2 billion in arms transfer is equivalent to about 3 percent of the total world military expenditures for that year—$216 billion.

And the world's leading arms merchant is the United States, which transferred $22.8 billion in conventional arms during the 10-year period. Approximately half of these transfers were in the form of sales. Currently, the United States is the source of more than one-half of the world arms trade in terms of dollar value.

The Soviet Union is in second place with an estimated $14.8 billion in conventional arms transfers during the 10-year period. In 1961, the Russians exported an estimated $800 million in arms. Shipments climbed steadily since then, to about $1.5 billion in 1971. During the period, the U.S.S.R. was the largest single exporter of arms to South Asia, Africa, and Latin America.

Other Western nations are also becoming increasingly active in sending arms to the underdeveloped world. French Mirages have been steadily flowing into the Middle East and Libya and there are reports that British Hunter jets and Lightning jets are being sold to Middle Eastern states. Even the People's Republic of China, a comparatively much poorer country, has been a major source of military supplies for Pakistan. The other major arms exporters are, in order of sales, Czechoslovakia, the Federal Republic of Germany, Canada, and Sweden, and for that reason they have been designated in my amendment as participating countries.

I applaud the present activities of the Geneva-based Conference of the Committee on Disarmament—CCD. This 25-nation organization is composed, of recipient as well as supplier nations, and does not include two of the major arms suppliers—France and the People's Republic of China.

The CCD has mainly directed its efforts to the control of chemical and biological weapons, and these efforts should certainly be continued. But I believe that the issue of conventional arms transfers is urgent enough to warrant its own conference with its own goals.

In a memorandum to the President requesting Presidential approval of the extension of credit to five Latin American governments in connection with the sale of F-5 military aircraft, the Secretary of State wrote that our efforts to limit the introduction of jet fighters to Latin America had failed:

> Latin American governments had simply turned to Europe for their military requirements.

Based on this reasoning, our military supply policy toward Latin America—based on the principles that the United States should avoid becoming a party to arms escalation and arms races in Latin America and should encourage the allocation of resources to economic and social development as against unnecessary military expenditures—was abandoned.

The ultimate objective of the Foreign Military Sales and Assistance Act, to which my amendment is attached, is according to Senator FULBRIGHT:

> To get the State and Defense departments out of the arms sales business and get these transactions back to a free enterprise, commercial basis, where they belong.

It is thus consistent with the overall objective of this bill that the U.S. Government should resume its leadership role—by demonstrating restraint in its own sales—in order to create a climate conducive to international supplier-nation cooperation. An international conference which would set a workable ceiling on arms transfers—perhaps at 1970 levels—would create a situation in which there would be no vacuum for other nations to fill.

It has also been argued that the expansion of our arms sales is necessary to help offset our balance-of-payments deficits.

We should not rely on the expansion of our arms trade sales to correct our balance-of-payments deficit. It is a cheap way out—and a dangerous way which will lead to the further impoverishment of the world's poor.

Our Nation is not so morally or economically weak that it must rely on the export of weapons of death to correct our balance-of-payments deficit.

Mr. President, our Government must direct its export promotion techniques to expand our exports of nonmilitary technology, durable goods, and agricultural products.

We must sell more butter and less guns.

It is also argued that arms sales to less-developed nations give us leverage over the military policies of our customers and hence some power of restraint. But has not our experience too often been that arms transfers make us the hostage of these countries as our honor becomes entangled with their mili-

tary performance?

My amendment also acknowledges that some of the recipient nations do have legitimate national security needs which warrant arms sales to them. Therefore, limitations, if designed with appropriate provisions, could be implemented without jeopardizing the security of any nation. Indeed, the thrust of my amendment is directed to collective restraint of the practice of aggressively peddling arms—recognizing that security threats to potential recipients often exist more in the imaginations of the donors than in the real needs of the recipients.

Building a momentum for serious consideration of conventional arms control agreements is an urgent task. The coming years could mark the achievement of significant agreements aimed at redirecting national efforts—away from the destructive and wasteful obsession with military arms sales, and toward raising the standard of living and improving the quality of life, particularly in the less-developed countries.

The President is directed to undertake a concerted effort to convene this conference within 18 months. The conference would appropriately parallel the international nuclear arms review conference mandated by articles 6 and 8 of the Nonproliferation Treaty which is scheduled for 1975.

Mr. President, the largest suppliers of arms must discuss and negotiate limiting the flow of arms. As the Christian Science Monitor realistically editorialized in a 1972 series entitled, "The New Arms Merchants":

> It would be folly indeed for the world's powers to congratulate themselves on controlling the nuclear demon, which is causing no actual destruction, while ignoring the grim daily havoc caused by conventional arms or surplus weapons.

Mr. President, I would be hopeful that the distinguished floor manager, the distinguished Senator from Arkansas, would be willing to accept the amendment.

Mr. FULBRIGHT. Mr. President, as I understand it, this amendment is directed toward achieving a control on the flow of conventional arms to other nations. The amounts involved in current sales are outrageous; and the expenditures place a tremendous burden on many of these nations.

We should realize also that much of the money given in aid is used to buy arms and that the recipient country gets nothing, but the useless arms which we induce them to purchase.

I think the amendment is a very good amendment. It seeks to find some way of putting a control on the outrageous amount of aid supplied in the form of weapons.

I am in favor of the amendment. I am willing to accept the amendment. I think it is consistent with our declared purposes of trying to control the prolifieration of arms of all kinds.

Mr. President, I am willing to accept the amendment.

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Senate

CHILDREN'S HEALTH

Mr. MONDALE. Mr. President, as we look toward the enactment of national health insurance legislation, no element should concern us more than the health of America's children.

The Federal maternal and child health program conducted under title V of the Social Security Act has shown that adequate medical services to children and expectant mothers can dramatically improve child health—cutting infant mortality rates by 50 percent and more, and sharply reducing the incidence of serious illness and hospitalization. But these programs—funded at less than $250 million in the last year—are only a drop in the bucket.

The facts are shocking:

As many as 10 million children each year fail to see a doctor at all.

A recent survey conducted in Washington, D.C., found that more than 25 percent of children aged 6 months-3 years suffered from anemia, more than 25 percent had untreated vision problems, and 20 percent suffered from middle-ear disease. And while poor children suffered most, rates were high for all children.

I am deeply concerned that the proposals now before the Congress contain serious shortcomings in the area of child health, and I hope to soon introduce provisions designed to assure American families of access to quality health care for their children.

Mr. President, the health status of this Nation's children was recently explored in two excellent and eloquent Reader's Digest articles by Lester Velie, "The Shocking Truth About Our Children's Health Care" and "Needed: Quality Health Care for All Our Children." I believe these articles will be of interest to the Senate, and I ask unanimous consent that they may appear in the RECORD at the conclusion of my remarks.

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

THE SHOCKING TRUTH ABOUT OUR CHILDREN'S HEALTH CARE

(By Lester Velie)

Seven-year-old Philip has a strange family doctor. He doesn't know Philip or his family, and they don't know him. The best time to see him is at midnight. Sometimes he plays blindman's buff with patients, for, not knowing their full medical history, he diagnoses and treats by guess and by hunch.

Philip's family doctor is the emergency clinic at Jackson Memorial Hospital, in Miami. Few of the 33,000 children treated there yearly are accident victims. Most are sick youngsters whose mothers have nowhere else to turn.

There's a doctor three blocks from Philip's home and a private clinic a mile away. But they charge $10 cash in advance, plus the cost of lab tests and prescriptions, which the family can't afford on the father's $100-a-week take-home pay. So when Philip or either of his two sisters suffers a scrape, fever, diarrhea or any ailment short of a true emergency, his mother heads for the county hohspital—eight miles, two buses and one hour away. Most of her 30-odd visits over the last three years have been in the middle of the night; at other hours, she has found, the waiting can take the better part of a day.

Ours is a two-class medical system. First class is for those who can pay, directly or with insurance, for private care. The others, like young Philip, rely on a subsystem of emergency rooms, "free clinics" manned by volunteers, and federally funded neighborhood health centers—or get infrequent health care or none at all.

Price is one barrier to adequate health care. Some 25 percent of children under 21—about 20 million in all—are "medical indigents": their families earn less than $6,000 a year. In big cities, the percentage is higher. Of Baltimore's 320,000 children, fully half are medical indigents.

To this, add the barrier of acute doctor scarcity in inner cities and rural areas. The Kingsman Park section of Washington, D.C. (population 85,000), for example, has no pediatrician. Its only general practitioner has a case load of 9,500 patients, who must make appointments three months in advance! As for rural areas, the American Medical Association reports 140 counties (total population, a half-million) with not a doctor among them.

The consequences? A recent Health, Education and Welfare poll of 40,000 households, ranging from poor to middle class, found that 29 percent of the children had not seen a doctor for a year, and 14 percent not for two years.

To break the cost and scarcity barriers, then, more and more of the poor, near-poor and even lower-middle-class have turned to "emergency-room medicine" as a stopgap. Use of emergency rooms more than doubled during the 1960s. At the Children's Hospital Medical Center in Boston, it nearly tripled in a decade. And what kind of health care does this mean for children?

OUT OF GEAR

"I come here so often I feel I own the place," said one mother of five, who lives 17 miles from Jackson Memorial. "But I don't ever get the same doctor or nurse. So each time we start all over."

A young intern said, "I've taken an oath to give quality care. But how can I, without more observation and knowledge of the child? I don't know if this is a kid whose sore throat turns into something more serious, or whether his mother is hysterical and runs to the doctor every day. We have to discount so much, and guess so much."

"No doctor should work more than six hours straight in an emergency room," said a resident (a medical-school graduate studying a specialty). "But I work 24, with every other day off, and interns work a 15-hour day. A tired doctor cuts corners, misses symptoms. It's hard to spot typhoid after you've seen 50 cases of diarrhea in one day."

From observing emergency rooms in Los Angeles, Washington, D.C., Chicago, Miami and Brooklyn, I've learned that many children come in with diseases that are supposed to be obsolete—measles, mumps, sometimes diphtheria and polio. Why? Because only a minority of children who come have received their immunization shots.

Last year, only 43 percent of preschool children in inner-city areas had been fully immunized against polio, according to Dr. John J. Witte, director of the Immunization Division of the U.S. Center for Disease Control. Only 55 percent had been immunized against measles, diphtheria, whooping cough and tetanus. Crisis-oriented, emergency-room medical care is simply not geared to medical-history keeping. Says Dr. Witte, "A child with a dog bite or puncture wound will get a tetanus shot. But a parent who brings a child with a rash or stomach ache is not likely to be asked what immunizations the child has had or when."

Neglect of pregnant mothers—on whose health the health of the newborn child depends—compounds the problem. In Wisconsin, the state Division of Health and Academy of Pediatrics found that some 70 percent of all obstetrical emergencies in 1970 could have been predicted—and many of them averted—with proper prenatal care. Yet in some low-income areas in Brooklyin, Chicago and Washington, D.C., almost 33 percent of pregnant mothers get *no* prenatal care. So a baby born in Iceland, Japan or any of 12 other countries has a better chance of surviving its first year than one born here.

Even more scandalous: The U.S. mortality rate for children in their first year who were born to poor or near-poor parents is twice as high as for middle-class children. Further, some 200,000 children a year are born blind, or deaf, or with muscular dystrophy or impaired hearts—many for want of proper care prenatally and at birth.

Who is to blame?

Curiously, we have the best-equipped hospitals, the best-trained doctors, the most advanced biomedical research in the world. All these are a part of a $94-billion health-care industry. The trouble is, as Dr. George Silver of Yale University Medical School says, "This giant industry relies on an inefficient, corner-grocery distribution system." Or, as former U.S. Surgeon General Dr. Jesse L. Steinfeld puts it, what we have is "not a medical system, but high-priced chaos." No group—whether the doctors, hospitals, health-insurance industry or federal government—takes responsibility for the distribution of medical resources, or for setting a national health strategy that would include health care for all our children.

FEDERAL CRUMBS

Consider the federal government, which via Medicare, Medicaid and other programs foots the biggest share of our country's total hospital and doctor bills —40 percent. (Private insurance covers about 27 percent, direct cash payments cover the remaining third.) Who heads the line for the federal dollars? Not the children. The aged and the war veterans shared more than half the 1973 federal health budget of $24.6 billion. The children, one third of our total population, got the crumbs—12 percent. For every 65 cents spent on an elderly person, the government spent a nickel on a child. The elderly do not have to take a means test to qualify for Medicare, but children must be paupers to qualify for Medicaid or for care in the federally funded neighborhood health centers.

Few would suggest that we diminish our health care for the aged. But should a country put its past—the retirees—first, and its future—the children—last?

It is clear that children don't vote but adults do. The elderly have two principal sets of lobbyists, maintained by the National Council of Senior Citizens and the American Association of Retired Persons. They also have an effective policy-making voice in government through HEW's Administration for the Aging, headed by ex-HEW Secretary Arthur Fleming. Meanwhile, the Children's Bureau, which spoke for children and handled all federal child-health programs from 1912 onward, was gutted in 1969 and its functions were scattered throughout HEW.

The Office of Child Development, which inherited some of these functions, has had no permanent director since June 1972. The Maternal and Child Health Service, which was supposed to administer the health programs, was slashed last year from a staff of 130 to a staff of six. This is the agency that conceived and nurtured the model maternity-and-infant-care programs as well as the comprehensive health programs for preschool and school-age children acclaimed by the American Medical Association and the American Academy of Pediatrics. In July, the federal funds earmarked for children's-health projects will be replaced by formula health grants, which give the states some freedom in spending. To date, the states have been notoriously neglectful of child health.

DEPRESSING PERCENTAGES

Nobody is minding the children of the poor and near-poor in health insurance, either. Of families earning between $3000 and $5000 yearly, only about 42 percent are even partially covered (usually with health insurance purchased by employers). Among families earning between $5000 and $10,000 the figure is about 77 percent. But, as the American Academy of Pediatrics recently charged, "Insurance programs are designed primarily for the care of adults." Most policies provide for hospital care only. What children need chiefly is "well-care"—checkups, treatment of minor ailments before they escalate. Since most policies don't cover doctors' visits, children of the working poor are unlikely to see a doctor until they become seriously ill.

Meanwhile, our medical schools are not

providing enough "primary child-health caretakers" to keep pace with the rising population. Of 10,391 medical-school graduates in 1973, fewer than ten percent are training in pediatrics. And the combined number of general practitioners and pediatricians per 100,000 children has declined since World War II.

Furthermore, the supply of U.S. medical-school graduates flows to where the most dollars are—in the suburbs and middle-class neighborhoods. Inner-city parents, turning to county-hospital emergency rooms, find these largely staffed with the products of medical schools in such underdeveloped countries as the Philippines, Korea, India, Pakistan.

TOWARD "WELL CARE"

As noted, what children mostly need is preventive care. (For example, early attention to strep throat in children could markedly reduce cases of heart-damaging rheumatic fever.) But medical-school emphasis is not on prevention; it is on treatment and cure. "Physicians contribute little to good health," Dr. Marvin Cornblath of the University of Maryland Medical School said to me, "We're trained to treat sickness."

"Our medical system is able to meet with high efficiency the kind of medical problem that was dominant until about 40 years ago," says Dr. William E. Glazier of the Albert Einstein College of Medicine. But the diseases that once killed us have been brought under control. Today we need a new approach, an improved health-care-delivery system to deal with today's problems. Specifically, we need a medical system geared to periodic checkups, screening, early intervention, maintenance care—*i.e.*, a system in which we pay the doctors to keep us well. Such a system would help put our children first instead of last.

When it comes to environment and energy resources, concern for our future results in national action. Our children, our most precious resource, deserve the same.

NEEDED: QUALITY HEALTH CARE FOR ALL OUR CHILDREN

(By Lester Velie)

Millions of our children—perhaps as many as half of them—are trapped in a cruel paradox. Most of the child cripplers and killers of the past—polio, diphtheria, measles, influenza-pneumonia—have been conquered. But not necessarily for the children of the poor, near-poor and even lower-middle-class. These families may lack the price of admission to a private doctor's office or live in medical wastelands in our inner cities and rural areas where few doctors can be found. Instead of the preventive "well care"—the immunizations, checkups and attention to minor ailments—that these children need, many get "crisis care" only, obtained chiefly in overcrowded, understaffed emergency rooms of public hospitals.

Almost a fourth of our pregnant mothers don't get the prenatal care that could significantly reduce premature births and other birth-time emergencies. And the mortality rate for children in their first year of life who are from poor or near-poor families is double what it is for those from the middle class. Later, children may die prematurely because they are denied the preventive care that would nip rheumatic fever, chronic infections or asthmatic attacks.

Does this mean we don't know how to provide the lower-income and rural child with quality health care? Not at all. Indeed, models abound. Two of the most successful involve local-federal partnerships in neighborhood health centers:

FOR INFANTS: M&I'S

When Social Security Act amendments in 1965 made federal matching funds available, local health departments, medical schools, hospitals and community groups set up demonstration Maternal and Infant Care Centers (M&I's) to serve low-income neighborhoods. Unlike the present medical system that waits for patients to knock on a doctor's door, the M&I's made all of the neighborhood's expectant mothers and infants their concern, reaching out to bring them in if necessary. The doctor's reach was extended, too, by use of pediatrics nurses, medical social workers, nutritionists and family counselors. These medical teams offered comprehensive well care aimed at bringing sound babies into the world and keeping them that way through the first, hazardous year of life.

Florida's Dade County M&I, for example, funded cooperatively by the federal and state governments and the county health department, provides anyone eligible—for a family of four, the annual income can be no more than $6300—with person-to-person concern along with the latest in medical technology. We met six-months-pregnant Mrs. Alma M when she came in for her regular monthly checkup. An obstetrician found her overweight and counseled a diet high in nutrition for the baby, low in calories for Alma. A nutritionist then explained the diet and told her how to cook it; for example, broiling instead of frying to reduce calories by half. If Alma had been a "high risk" mother—one suffering from venereal disease, diabetes or hypertension—faculty members of the Miami University Medical School were available as a back-up advisory team. After delivery, Alma's baby would get the same quality care from the M&I health team as that available to the well-to-do child.

The Miami M&I has achieved a remarkable turnaround. In 1965, infant mortality in the neighborhoods it serves was 96 per 1000 live births; since last July, that rate has dropped to 3.6 per 1000. Unfortunately, there are but 56 such M&I's scattered through 34 states—caring for only ten percent of the country's eligible mothers and infants.

FOR KIDS: CHILD-CARE CENTERS

Local-federal cooperation has also shown how children of the poor and near-poor can be cared for beyond infancy. At San Francisco's Mt. Zion Hospital, a comprehensive child-care project has aided some 3600 youngsters from birth to 18 years old, and their families as well. Here, too, emphasis is put on preventive care. Says project director Rosalind Novick, "We call up our families to remind them to bring in their children for checkups and immunizations."

For Anne Bryant, her husband and their seven children, the Mt. Zion program has been "family doctor, counselor, advocate and friend." Last year, for example, when the Bryants' six-year-old entered school, he was so disruptive that Mrs. Bryant was told he would have to be put in a class for problem children. She took the child to her project center, where doctors and psychologists found that he was of above-average intelligence but hyperactive. Mt. Zion social workers and the boy's teacher worked out a special comprehensive program, and he was soon doing well in a regular class.

Another system of preventive care, Child & Youth Health Centers (C&Y's) has, in the last six years, reduced by half the hospitalization of children in the program. Together with the use of paraprofessionals, this has lowered the taxpayer cost per child to about $10 a month—less than the cost of membership in most prepaid group-health organizations.

But, as in the case of the Maternal and Infant Care Centers, the C&Y's provide token relief. There are only 59, scattered through 28 states and the District of Columbia, and they reach fewer than five percent of the eligible children. In 1973, the Nixon Administration proposed that support for C&Y's (all M&I's and C&Y's cost the government some $111 million this year) be shared by the states, as called for in the original legislation. Only the vigorous lobbying of the M&I and C&Y program directors and by the American Academy of Pediatrics won extension of the federal grants for the child health centers for another year. As of July, the states must match a lower federal quota. The doctors argued that good health is the right of every child and that the centers were a historic beginning toward achieving that right—with more desperately needed.

DOCTORS' COUNTEROFFENSIVE

Meanwhile, the doctors of one state have shown that the medical profession itself can mobilize against maternal and infant deaths. Five years ago, the Wisconsin Academy of Pediatrics and the state health department surveyed 35 hospitals and found that 15 of every 1000 infants born live there did not survive the first four weeks of life. Dr. Stanley N. Graven of the University of Wisconsin Medical School, who headed the survey team, then helped launch a low-cost statewide "newborn program" that reduced the newborn death rate to nine per 1000.

How? At first, the solution seemed simple. All you had to do, Dr. Graven felt, was set up several centrally located intensive baby-care units and organize a transportation system to get high-risk mothers and newborns there. But then Dr. Graven made two startling discoveries: Outlying hospitals did as well in saving high-risk babies as urban hospitals, where conflicting demands on the time of highly trained obstetrics and pediatrics specialists kept them away when needed most—so that interns and nurses had to cope with emergency-delivery problems. Dr. Graven also found that at least two thirds of such emergencies were due to inadequate prenatal care.

Dr. Graven organized a "flying circus" of pediatricians and obstetricians to barnstorm the state's hospitals, inculcating a team approach to the delivery and care of newborns. This meant training special pediatrics nurses, doctors' assistants and associates to undertake much of the normal-delivery care so that doctors could attend to high-risk cases when they occurred. This, in turn, meant educating doctors to relinquish some of their traditional chores to nurses and paraprofessionals.

Since only a handful of hospitals had the new machines that measure the fetal heartbeat, or the respirators and other equipment needed for intensive care of ill newborns, Dr. Graven negotiated with eight of them to develop themselves as regional centers for high-risk mothers and infants. Then a statewide ambulance service was organized that put pregnant mothers or ill newborns no more than two hours away from a center.

THE OKLAHOMA PLAN

The trouble is that even the most efficient use of medical resources can't deliver health care to mothers and children unless sufficient doctors are available to provide it. Consider Oklahoma, which ranks 41st among states in the ratio of doctors to population: 1 to 900. Worse, 66 percent of these doctors are concentrated in six of the problem of cost. For example, Dr. Graven recalls a $28,000 hospital bill presented to the Wisconsin parents of twins who were maintained in an intensive-care respirator. All but $1800 had been covered by insurance. But for a young couple, $1800 on top of doctors' costs is a financial disaster. And how shall we provide the children of the poor and near-poor with continuing, preventive well care as well as sick care?

Virtually all authorities believe that some form of national health insurance is necessary. But unless we expand medical services to absorb any new medical purchasing power we provide by legislation, we will have more medical-cost inflation. For instance: since Medicare increased medical purchasing power without increasing the supply of medical resources, it helped quadruple hospital costs and triple doctor costs. And since private doctors continue to be scarce in low-income areas, many Medicaid card holders have been unable to purchase care, turning to hospital emergency rooms instead.

Clearly, a new national strategy is needed. One approach, favored by former Secretary of Health, Education and Welfare Wilbur J. Cohen, who was a principal architect of the Social Security Act of 1935 as well as Medicare and Medicaid, is a "junior Medicare." This would not only pay medical bills for all children under six but help make additional health care available with loans from a new insurance fund to community groups, doctors, hospitals and medical schools to set up additional neighborhood health centers. These would then bill junior Medicare for services to children just as doctors and hospitals now bill Medicare for services to the aged. Such billings would also help repay the start-up loans.

Another approach, favored as a minimum measure by the American Academy of Pediatrics, is national health insurance for children under six, requiring employers to buy Blue Cross, Blue Shield and commercial health insurance for the children of their employes. Such coverage for children could be coupled with federal action to expand the present neighborhood health centers and so meet the special needs of poor and near-poor children.

As Congress ponders the various health reform bills now before it, we should all remember that children don't vote and don't lobby. The health needs of almost half our children will continue to be neglected unless we speak up for them.

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Senate

AMENDMENT OF THE COMPREHENSIVE DRUG ABUSE PREVENTION AND CONTROL ACT

Mr. MONDALE. Mr. President, since 1971, the Government of Turkey had suspended the production of all opium in that country. Prior to that time, 80 percent of the opium that ended up on the streets of the United States, usually in the form of heroin, had derived from production in Turkey.

Since the ban on opium production, there has been dramatic and exceedingly impressive progress made in the fight against drug addiction in this country.

Since that time, the number of estimated heroin addicts in this country has dropped by 60 percent from something like 600,000 to 250,000. In the Nation's Capital the number of heroin addicts has dropped from an estimated 16,000 to 2,000.

One of the key reasons is that when Turkey agreed to stop producing opium and the illicit channels for opium, which ends up in the form of heroin, had dried up from Turkish sources, the cost of heroin rose so dramatically that no one could sustain the habit without outside help, even if they were committing crimes.

They had to get help and they went to health officials, law enforcement officials, and by the thousands these pathetic Americans who had been hooked by heroin received help to get out from under this awful habit and crime relating to drug addiction dropped dramatically. It is one of the truly exciting success stories in recent years.

Now, the Turks have announced that they not only intend to drop the ban and resume production, but in fact intend to have more production now than they had before.

In addition to that, they have released from prison in Turkey many of the top drug smugglers who were key parts of the illicit drug trade. I will not list more than a few names, but Mr. Kidred Bayhan was caught trying to smuggle 146 kilograms of morphine base from Turkey to France. That is the equivalent of 300 pounds of heroin at a value of about $14 million.

Mr. Bayhan and others who were major principals in the illicit drug smuggling racket under the new Turkish policies a few years ago were put in prison, as they should be. Now, Mr. Bayhan and many others rave been released under general amnesty and are ready to go back in business.

In addition to that, the head Turkish law enforcement officer who had headed up the highly successful effort before opium production had been terminated in Turkey has been removed from office and he is no longer there to enforce the law against opium production. That official's name is Mr. Erbut.

Everyone who studies this problem is absolutely convinced if the Turkish Government does what they announced they are going to do, coupled with these other attempts, we will see a resumption and perhaps at even higher levels.

Illegal drugs and opium traffic emanates from Turkey, that we saw in the pre-1971 era, and we will see a resumption of heroin addiction in this country. We will see people get hooked by the drugs, committing crimes, becoming pushers, prostitutes, and all the rest, in order to maintain this habit which costs an estimated $18,000 a year for each addict to sustain. We could well be back at the 600,000 heroin addicts in this country, or even more, as a result of that.

Now, that is not the only development that has occurred that bears upon the issue of what we should do in this country. The other development in recent years is that the domestic drug companies have increasingly included codeine, which has an opium base, in cough syrups and in other kinds of drugs, and the amount of the sales of these kinds of drugs containing codeine has soared fantastically in this country.

So the American drug industry that is dealing with opium wants more of it, and I say that rather than getting more opium, let us cut off the rapidly escalating sale of these drugs that are sort of an informal way of hooking our young people on opium-based narcotics.

For example, in 1967, American drug companies produced 20,457 kilograms of codeine. In 1972, 30,000 kilograms. By the end of this year, it is estimated to rise to 41,000 kilograms of codeine, much of which ends up in cough syrup and other kinds of drugs which are increasingly being sold through illegal sales to minors.

We cannot prove this, but we did wire the three drug companies and they have not answered. It has been charged that the three drug companies have been in Turkey recently negotiating for substantial purchases of opium, assuming the resumption of opium production in Turkey.

Now, I would say to those drug companies that instead of trying to increase their sales in these kinds of ways, at the expense of the young people of this country and the crime, and trying to increase your sources of opium for those purposes, why not turn around and cut off those sales that are risking the health and the future of our young people.

For all these reasons, we have taken the position that at the very least the Turkish Government, or any other government that is the recipient of military and economic aid, should not be able to have it both ways.

They should not be able to be the recipient of vast profits through the illicit sale of addictive drugs to our young people and at the same time have their hand out taking hundreds of millions of dollars from the taxpayers of the United States in the form of military and economic aid.

They cannot have it both ways. I do not think the American people will tolerate it. I do not know why they should.

This year the budget calls for $232 million of military aid and credits to a country that is planning to resume and to substantially expand opium production in that country.

May I say this is not an anti-Turkey amendment. This applies to any government in an opium-producing country receiving aid from the United States.

I would like to look upon the Government of Turkey and the people of Turkey as friends, but they must understand how serious and how profound this issue is to our people. We feel very deeply about it. We know the dangers of the drug menace, and if there is anything we can do to protect our young people, we are going to do it. We do not wish to offend them, but they must understand that this is not an issue the American people will take lightly.

So what does the amendment do? It provides, briefly, that any government which permits the production of opium poppies shall not be the recipient of economic and military assistance furnished under this or any other act, unless the President determines that a ban on the growing of opium poppies is in effect, or certifies to Congress that safeguards adopted by the government concerned sufficiently prevent the diversion of opium and its derivatives into illicit markets.

In the latter event, economic and military assistance, et cetera, shall continue only for so long as the President continues to be satisfied as to the effectiveness of such safeguards. It further provides that the Director of Drug Enforcement shall report immediately to the President and to Congress any evidence that opium and its derivatives are being diverted from permitted production into illicit markets, and shall make a detailed report on or before June 30 of each year to the President and Congress reporting on the worldwide production of opium.

The amendment also provides for an immediate and expedited consideration by Congress of what we should do in the case the drug enforcement office reports that this opium is not being strictly contained, if it is being produced, within legal channels.

Mr. President, I think this is a very reasonable amendment. It is the least that the American people can expect us to undertake, in the light of this new menace.

One of the arguments against us is that it affects our NATO facilities in Turkey. We might point out that in the recent Middle East crisis, the Turkish Government permitted the Russians to fly over Turkey, but they would not permit us to use Turkish facilities for national purposes at that time.

This morning the Foreign Minister from Turkey, Mr. Gunes, said that even if we cut off the aid to Turkey, the NATO facilities and bases will continue to operate, that they do not intend to close down those bases.

I ask unanimous consent that an article on this subject written by Mr. Roberts, and published in this morning's New York Times, be printed in the RECORD at this point.

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

TURKS SEE NO MAJOR RIFT WITH UNITED STATES OVER POPPIES

(By Steven V. Roberts)

ANKARA, TURKEY, July 10.—Turkish officials say that their decision last week to resume the cultivation of opium poppies should not cause a major rift in Turkish-American relations.

In an interview here, Foreign Minister Turan Gunes said that even if Washington cut off aid to Turkey, as some Congressmen had threatened, Ankara would not "change the status" of about two dozen vital military bases maintained here under the joint command of the two North Atlantic Treaty Organization allies.

"The friendship and alliance between the two countries is a serious thing," said the Foreign Minister. "The Turkish Government is not irresponsible enough to show undue reaction."

However, he warned, if American aid is canceled, it might cause an "unstoppable" wave of adverse opinion among Turkish politicians and the public at large. That fear is mirrored [illegible] American diplomats, who worry that the [illegible]ical temperature will rise in both coun[illegible]nd lead to a damaging series of retalia[illegible]moves that no one really wants.

BAN ON POPPIES IN 1971

Turkey imposed a ban on poppies in 1971, after the United States exerted considerable pressure and pledged $35-million to compensate Turkish farmers. At that time, Washington contended that 80 per cent of the heroin reaching America was refined from Turkish opium.

In explaining their decision to cancel the ban, the Turks stressed the economic plight of the farmers and other peasants who had made a living from the poppy. Moreover, they said, there is a worldwide shortage of opium, which is used for legitimate medicinal purposes.

More important, poppies became an emotional political issue here and Turks say that the Government is determined to assert Turkey's power and independence. "The poppy decision was taken as a matter of pride," explained one well-informed journalist. "Everybody here felt very insulted."

The question of pride came up again this week when several Turkish politicians and publications complained that neither President Nixon nor Secretary of State Kissinger had come to Turkey during their Mideast visits.

"America takes us for granted," commented Outlook, a news magazine.

U.S. SUMMONS MACOMBER

When the ban was canceled, Washington immediately announced its "deep concern" and summoned Ambassador William B. Macomber, Jr., for consultations. Congressional critics called the Turkish action "hostile and outrageous" and urged President Nixon to cut off aid to Turkey. A number of bills were introduced that would also cut off aid, which this year would amount to $180-million in military funds and $27-million in economic assistance.

Turkish officials apparently underestimated the vehemence of American public opinion and the degree to which narcotics is an issue in American politics. According to one interpretation, their moderate comments represented an attempt to recoup some lost ground with Congress and perhaps stave off the cut in military aid.

At the same time, Turkish officials have been critical of the United States in several ways. Asked to comment on a State Department charge that Turkey had broken an agreement with Washington by lifting the ban, Mr. Gunes insisted that "there is no such agreement between the United States and Turkey."

The ban, he said, was a "unilateral" action, as was Washington's pledge of $35-million—an interpretation that is heatedly disputed by the American Embassy here.

EXCHANGE OF CHARGES

American politicians, Mr. Gunes added, have had "very exaggerated reactions" to the Turkish action. These politicians may be serving their own ends" he said, "but I'm afraid they will be harming Turkish-American friendship at the same time."

Americans also accuse the Turks of having "exaggerated" reactions. The farmers never made much money selling opium legally, they insist, and would be much better off in the long run developing alternative sources of income, such as wheat or livestock.

Mr. MONDALE. Mr. President, the American people, speaking through their Government, must make clear that the American youth of this country are not going to be held hostage to the drug traffickers of the world if we have anything to say about it. And we are not going to permit a situation where our young are victimized in that way, and at the same time lavish those nations with substantial aid of the kinds contemplated in the President's budget.

I would very much hope that this amendment would be adopted, and that, on the basis of it, our friends in Turkey will reconsider what is indeed, in my opinion, a very, very serious step.

INTERNATIONAL NARCOTICS CONTROL

SEC. 2. Section 481 of the Foreign Assistance Act of 1961, as amended, is amended by adding at the end thereof the following new subsections:

"(c)(1) Any Government, which permits the production of opium poppies, shall not be the recipient of economic and military assistance furnished under this or any other Act, and all sales, credit sales and guarantees made with respect to such country under the Foreign Military Sales Act and under title I of the Agricultural Trade Development and Assistance Act of 1954 shall be suspended, beginning January 1, 1975, unless the President determines that a ban on the growing of opium poppies is in effect or certifies to the Congress that safeguards adopted by the Government concerned effectively prevents the diversion of opium and its derivatives into illicit markets. Such certification shall be accompanied by a detailed description of such safeguards. In the latter event, economic and military assistance and event, credit sales and guarantees shall continue only so long as the President continues to be satisfied as to the effectiveness of such safeguards.

"(2) The Direstor of the Drug Enforcement Administration shall report immediately to the President and the Congress any evidence that opium and its derivatives are being diverted from permitted production into illicit markets and shall also make a detailed report on or before June 30 of each year to the President and the Congress, reporting on the worldwide production of opium and its derivatives, the effectiveness of controls in each producing country, and the extent to which opium and its derivatives are being diverted into illicit markets.

"(3) If, within 60 days of continuous session of the Congress after a report is submitted under paragraph (2), the Congress adopts a concurrent resolution finding that any country has not effectively banned the growing of opium poppies or that such country is not effectively preventing opium, or its derivatives, produced in such country from being diverted into illicit markets, then the President shall immediately suspend economic and military assistance to such country under this or any other Act and shall suspend all sales, credit sales and guarantees to such country under the Foreign Military Sales Act and title I of the Agricultural Trade Development and Assistance Act of 1954."

YEAS—81

Abourezk	Fulbright	Montoya
Allen	Gurney	Moss
Baker	Hansen	Muskie
Bartlett	Hart	Nelson
Beall	Hartke	Nunn
Bentsen	Haskell	Packwood
Bible	Hatfield	Pastore
Biden	Hathaway	Pearson
Brock	Helms	Pell
Buckley	Hollings	Proxmire
Burdick	Huddleston	Randolph
Byrd, Harry F., Jr.	Hughes	Ribicoff
	Humphrey	Roth
Byrd, Robert C.	Inouye	Schweiker
Cannon	Jackson	Scott, Hugh
Case	Javits	Scott, William L.
Chiles	Kennedy	Sparkman
Church	Magnuson	Stennis
Clark	Mansfield	Stevens
Cook	Mathias	Stevenson
Cotton	McClellan	Symington
Dole	McClure	Taft
Domenici	McGee	Thurmond
Dominick	McGovern	Tunney
Eastland	McIntyre	Weicker
Ervin	Metcalf	Williams
Fannin	Metzenbaum	
Fong	Mondale	

NAYS—8

Aiken	Griffin	Stafford
Bennett	Hruska	Tower
Goldwater	Percy	

NOT VOTING—11

Bayh	Curtis	Long
Bellmon	Eagleton	Talmadge
Brooke	Gravel	Young
Cranston	Johnston	

So Mr. MONDALE'S amendment was agreed to.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 93d CONGRESS, SECOND SESSION

Vol. 120 WASHINGTON, MONDAY, JULY 22, 1974 No. 108

Senate

Mr. MONDALE. Mr. President, I wish to address one provision in particular in the bill before the Senate today, the fiscal 1975 Agriculture, Environmental and Consumer Protection Appropriations Act.

Permit me to begin by expressing my gratitude for the outstanding leadership provided by Senator McGEE and the members of the Senate Appropriations Committee in their report on H.R. 15472.

This measure contains a section which I believe to be vital to the Environmental Protection Agency's responsibilities in the field of water pollution control. I refer specifically to the section authorizing the use of water and sewer funds appropriated under Public Law 92-73 and extended under Public Laws 92-399 and 93-135, but impounded by the administration, for lake restoration programs under section 314 of the 1972 Federal Water Pollution Control Act amendments.

The United States is blessed with 100,000 small- and medium-sized lakes, resources which provide an unparalleled variety of opportunities for recreational and scenic enjoyment. Boating, swimming, water-skiing, hiking, fishing, and camping are but a few of the activities the American people look for in vacations and in weekend trips to nearby lakes.

Yet because of the very advantages they provide in sparkling water, plentiful fish, and natural scenery, thousands of fresh water lakes are today endangered.

Mounting population and pressure for open space have often resulted in excessive, unwise, or improper development. Without proper sewage treatment, many lakes have been subjected to overloading of nutrients from municipal wastes. Erosion and run-off in both urban and rural areas have also threatened lake water quality.

As a result, lakes in virtually every State in the country are suffering from accelerated eutrophication or premature aging. Excess growth of algae and weeds and a decline in the quality of fisheries are symptomatic of advanced eutrophication. If this process continues unchecked, lakes will become clogged; they will choke for lack of oxygen; and eventually they may die.

Although the Federal Government has since the mid-1960's devoted increasing resources to water pollution problems, America's fresh water lakes have not received the attention they deserve. In fact, the most fragile part of our acquatic ecosystem has received virtually no protection or help from the Federal Government.

Unlike rivers, lakes have only a limited capacity for self-cleansing. If they are subjected to harmful pollutants or to an overdose of nutrients or sediments, the delicate balance that permits natural lake renewal may be permanently destroyed.

Nonetheless, Federal funds and enforcement authority traditionally have been targeted toward interstate rivers rather than on lakes that are commonly located within a single State. Although more recent legislation has firmly established the eligibility of lakeshore communities for Federal sewage treatment grants, limitation on the availability of Federal funds have placed most small, lake-based villages on the bottom of the priority list for assistance. Finally, even if construction grants for municipal treatment facilities could be obtained, this would represent only the first step toward reclaiming a lake that is endangered by pollution. Land use controls and costly rehabilitation techniques such as flushing, inactivation of nutrients, destratification or dredging must often be employed to return a lake to its natural condition. Neither State nor local governments possess sufficient resources to bear the full cost of effective lake cleanup programs.

Is there a national interest in safeguarding America's small lakes? Congress answered that question with an unequivocal yes in adopting section 314 of the 1972 Federal Water Pollution Control Act amendments. In this provision, which I authored with the cosponsorship of more than 50 Senators of both political parties, the Congress authorized a new program, the first of its kinds, specifically designed to protect fresh water lakes. Section 314 authorizes Federal grants for up to 70 percent of the cost of projects designed to clean up lakes and to keep them clean.

Over the past year and a half, primarily as a result of administration foot-dragging, the Clean Lakes Act has remained only an on-paper law with no regulations or funding to carry it out. The administration has never requested appropriations to provide a penny of the $50 million that was authorized in fiscal 1973, and they opposed congressional initiatives to appropriate any of the $100 million that was authorized in fiscal 1974.

Notwithstanding the administration's opposition, the Congress is now in the process of earmarking $75 million to carry out a clean lakes program in fiscal 1975. Although this represents only half of the $150 million authorization for lake restoration activities in the current fiscal year, if fully committed, it would permit a meaningful first step in the effort to safeguard America's fresh water lakes.

Nearly 1,500 lakes in 40 States across the Nation have already been identified as in need of some type of help. In Florida, State and local officials are desperately seeking Federal assistance to implement restoration programs on lakes like Lake Apopka. Along the shore of Lake Apopka there are today signs posted by the Orange County Health Department declaring it a health hazard for people to swim or fish in the water. By stopping pollution at its source and draining the lake, it could be made suitable for body contact sports.

In south-central Minnesota, the city of Albert Lea is similarly seeking funding to rehabilitate Albert Lea Lake, a 2,600-acre fresh water resource that could provide recreational opportunities for surrounding communities in Iowa as well as Minnesota.

If clean lakes funding were available, the State of Maine might use such assistance to institute a monitoring program that would serve as an early warning system on water quality problems in 44 of the State's most popular recreational lakes.

Michigan might similarly use these resources to help some of the 1,625 lakes that have been classified by the department of natural resuorces as eutrophic.

The delays experienced so far in getting action on behalf of fresh water lakes have greatly increased the need to launch a substantial program in the current fiscal year. For each year that we fail to take the steps necessary to safeguard endangered lakes, the probability grows that even more costly restorative measures will be needed in the future. And for those lakes that are already suffering from serious water quality problems, the likelihood grows that they may be permanently lost to pollution. The cost of continued inaction, measured in the destruction of irreplaceable lake resources, is more than this Nation can afford or should be asked to pay.

I am hopeful of prompt approval of H.R. 15472 so that we may begin the urgent task of safeguarding America's fresh-water lakes.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 93d CONGRESS, SECOND SESSION

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Senate

TRADE REFORM

Mr. MONDALE. Mr. President, the Senate Finance Committee today resumes markup on one of the most vital measures before the 93d Congress, the Trade Reform Act. I am pleased by this action because I am deeply disturbed about the potential consequences of our failure to pass a trade bill.

At no time since the 1930's have we faced a greater peacetime economic crisis. The post-war world economic regime has broken down; our collective economic institutions have proven to be weak and outmoded in the face of recent events.

Widespread inflation, payments deficits and deceleration of growth threaten the economies of all the leading Western democracies.

Under mounting internal pressure to resort to protectionist policies, our major trading partners are clinging to the hope that multilateral negotiations on trade and monetary issues can bring us through the present crisis. Only if these negotiations proceed, will GATT member nations have a basis for resisting demands for trade restrictive measures to deal with their economic problems.

It is the United States that initially proposed and pressed for action on a new round of GATT negotiations in the Tokyo declaration signed last year. Ironically, it is the failure of the United States to pass a trade bill that has so far held up and now stands in the way of a meaningful negotiation—precisely at a time when closer cooperation is most desperately needed.

Some have charged that the responsibility for the delay in the trade bill lies with the amendment introduced by Senator JACKSON, which I have cosponsored, concerning emigration and most-favored-nation treatment for the Soviet Union. I believe this view is false.

It is perfectly proper that before granting the concession of most-favored-nation status we should ask the Soviet Union to live up to its international commitments in this area of human rights. This is not a question of being anti-Soviet or of seeking to interfere in internal affairs. The International Declaration on Human Rights makes clear that emigration is not merely an internal matter. The right of Soviet Jews to emigrate free of harassment is as important to Americans as any number of other concessions we have sought from the Soviets in negotiations such as the Conference on European Security and the Berlin negotiations.

Second, it was the strategy of the administration to tie together the most-favored-nation issue and other urgent aspects of the trade bill. Moreover, once the amendment was introduced, it was the administration that let the issue of emigration languish before taking serious steps to negotiate a solution.

I am encouraged by reports that the administration is making a serious effort in this regard and that progress is being made. I hope a satisfactory agreement on this point can be concluded promptly. It is my firm belief that a successful outcome will be most facilitated if we in the Congress steadfastly support the principle of the right to emigrate and the end to harassment.

Global inflation cannot be stopped by the policies of individual countries alone. During the first half of 1974 nearly all of the major industrialized and developing countries represented in the GATT suffered from catastrophic rates of inflation. The unprecedented 11 percent peacetime rate in the United States, considered horrifying by American citizens, must be viewed in the context of 25 percent inflation in Japan, 18 percent in Italy, 14 percent in Britain, and 13 percent in France.

A quadrupling in the cost of oil, forced upon consuming countries by the petroleum producers cartel, has contributed both to runaway inflation and to massive payments deficits throughout the world.

From a $3 billion balance-of-payments surplus in 1973, the United States has moved to a $2 billion deficit in the first half of 1974. Japan has moved from a $6 billion surplus to a $6 billion deficit; and Britain and Italy are both running at deficits of $8 billion or more.

The enormous shift of money into the hands of the oil producers places an unprecedented strain on the world's financial institutions. This year alone oil-consuming countries will have accumulated current account deficits with Arab nations of up to $60 billion. The result is uncertainty, speculation, and instability in importing countries. This tempts countries to try to restore their trade balances through nationalistic policies, to limit their imports, and artificially expand exports. The only way to head off such actions is through multilateral trade negotiations.

Thus the deeper consequences of the oil crisis last year are being felt in diverse and alarming ways, long after the initial shock of higher energy costs has passed.

That the boom experienced in the last 2 years will be replaced by a global bust—triggered by collapse of lenders, like the Herstatt Bank of Cologne or Franklin National in the United States, or by excessive restraints on growth by member nations—is still a serious danger.

Added to these problems, we face another threat resulting from the proliferation of cartels among raw materials suppliers.

Eight months ago, I warned of the danger that other commodity producers might seek to follow the example set by the Arabs by forming cartels to boost their prices. Since then, there has been disturbing evidence of the prediction's coming true.

Bauxite producers have combined to create the International Bauxite Association, setting the stage for Jamaica to press for a 600 per cent increase in its earnings.

Through the International Council of Copper Exporting Countries, copper exporters are now pressing for greater control of the market.

Phosphate producers have achieved a threefold increase in prices, and members of the International Tin Agreement are seeking a 50 per cent increase in the floor price for tin.

Coffee producers are starting to dominate markets, and other commodity producers may soon join the stampede toward cartelization.

In an era marked by spreading shortages of food and raw materials, there is a high likelihood for success of efforts to drive prices higher by limiting production of critical commodities.

And as Ambassador Eberle told the Joint Economic Committee the other day, the existing GATT articles are "virtually worthless" in attempting to deal with collusion among raw materials suppliers.

In view of the disarray within the world community, some observers in the United States have argued that we should be pleased that conditions are not worse and that our major trading partners have for the most part resisted the temptation toward isolationism.

They point toward the temporary standstill agreement signed by OECD members in July and the pledge signed by the Committee of Twenty of the IMF to refrain from trade-restrictive steps to illustrate the desire for cooperative solutions to the problems of inflation and recession.

Indeed the recent GATT XXIV-6 agreement to provide compensation for U.S. losses from expansion of the Common Market and the withdrawal of dairy export subsidies by the European Community offer tangible evidence of cooperation.

But I suggest that these actions reflect certain knowledge that without immediate action to permit full scale negotiations on trade, a dangerous retreat to protectionism cannot be avoided. There is thus an acute sense of desperation underlying the calls by the European and Japanese for progress on trade.

In the case of Italy, the strain brought about by the oil cost increases has already led to a tax on imports. Japan, Canada, and the Common Market as a whole have similarly imposed new barriers to trade. How many other countries may be tempted to restrict imports while aggressively pushing exports so that they can offset the high deficits created by oil imports?

Perhaps the best illustration of the frailty of cooperation was the reaction of consuming countries to the oil crisis. While France and Japan immediately rushed to conclude bilateral deals with the Arabs, the United States initially proposed multilateral cooperation on oil. In advocating collective solutions to energy problems, Secretary Kissinger warned that:

> The world is threatened with "a vicious cycle of competition, autarchy, rivalry and depression such as led to the collapse of the world order in the thirties."

Nevertheless, only a few months later the United States joined the scramble to negotiate bilateral arrangements with the Arabs.

Panic in reaction to the oil crisis, as Fred H. Sanderson recently warned, represents a danger to our entire multilateral trading system. Sanderson said:

> If not stopped in time, it may lead to a relapse into the beggar-thy-neighbor policies of the 1930's: barter deals, competitive devaluations, trade and exchange restrictions, export subsidies in various disguises—all in a desperate effort to balance the books on oil.

Last December I proposed a series of amendments to the Trade Reform Act. The amendments are designed to broaden the focus of the GATT negotiations to deal with the threat posed by the oil crisis. These amendments would direct the President to seek to negotiate new rules within GATT governing access to supplies of critical raw materials. Under such rules both producing and consuming countries would be bound by a code of fair conduct, and they would be subject to multilateral sanctions if the rules were violated.

Economic nationalism may offer countries short-term solutions to rising oil costs and to the attendant problems of inflation and payments deficits. But over the long term the inevitable result of such a course would be a contraction in trade and disaster for every industrialized country that depends on world markets for its products.

If strong and stable governments were in office in the Western democracies, the possibility would be greater that regimes could survive protectionist sentiment. But with either newly elected leaders or governments seriously weakened by recent events, it is more likely they cannot.

Time is running out. If this year ends without approval of a trade bill by the Congress, conditions will be ripe for the collapse of cooperative efforts for countries to deal with worldwide economic problems.

At stake is more than the question of import restrictions or accelerating use of subsidies to export unemployment or export controls to other countries.

The future of the Atlantic Alliance and the survival of democracy itself depend upon the maintenance of a stable and growing world economy.

In the 1930's the Congress was confronted with an economic crisis of a similar magnitude. Congress failed to act responsibly and has ever since borne the blame for a good part of the misery and hardship of the Great Depression.

Now in the 1970's our friends abroad and the American people at home are waiting for the Congress to act. We must take the initiative and pass a trade bill that will give our negotiators the tools they need to avoid any repetition of that global disaster.

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