

cals) in reporting the news or editorial opinions, or to tax-exempt organizations reporting to their members the views of the organization with respect to Presidential candidates.

(6) The conference agreement also adds a provision to allow the Comptroller General or other interested parties to bring court actions in order to implement or construe the new provisions. For this purpose the Comptroller General is authorized to employ his own legal counsel. Because the provisions of this title will have a direct and immediate effect on the actions of individuals, organizations, and political parties with respect to the financing of campaigns for the offices of President and Vice President of the United States, these individuals, organizations, and political parties must know whether major and minor parties may expect to receive financing under the provisions of this title or whether political parties and others should continue to solicit, and individuals, organizations, and others should continue to make, contributions to provide such financing. Ac-

cordingly, the conference agreement makes provision for expeditious disposition of legal proceedings brought with respect to these provisions. The agreement provides for actions involving these provisions to be brought before a three-judge district court, to be expeditiously tried, and for appeals from decisions of that court to go directly to the Supreme Court.

FEDERAL IMPOUNDMENT INFORMATION

Amendment No. 125: This Senate amendment added a new title to the bill which required the President to transmit reports to the Congress and the Comptroller General containing certain information whenever any appropriated funds are impounded.

This amendment was not considered on its merits because of questions raised as to its germaneness under the House rules.

The Senate recesses.

PROMOTION OF RECIPROCAL TRADE AND PROTECTION OF AMERICAN JOBS

Amendment No. 126: This Senate amend-

ment added a new title to the bill which authorized the President under certain conditions to impose quotas and other import restrictions on articles imported into the United States.

This amendment was not considered on its merits because of questions raised as to its germaneness under the House rules.

The Senate recesses.

W. D. MILLS,
AL ULLMAN,
JAMES A. BURKE,
MARTHA W. GRIFFITHS,
JOHN BYRNES,
JACKSON E. BETTS,
HERMAN T. SCHNEEBELI,
Managers on the Part of the House.

RUSSELL B. LONG,
CLINTON P. ANDERSON,
HERMAN E. TALMADGE,
CART T. CURTIS,
JACK MILLER,
Managers on the Part of the Senate.

EXTENSIONS OF REMARKS

JOINT BOARD FUR, LEATHER AND MACHINE WORKERS UNION RESOLUTION ON ATTACKS ON THE FOREIGN-BORN

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 2, 1971

Mrs. ABZUG. Mr. Speaker, the tide of outcry against the foreign-born which was seen in this country in the 1920's and the 1950's is, I am grieved to observe, rising again. Not all of those who are speaking out on this question are consciously attempting to incite prejudice against the foreign-born, but their comments do have this effect nevertheless.

My friend Henry Foner, who is president of the Joint Board Fur, Leather and Machine Workers Union, has been good enough to send me a copy of the resolution on this subject adopted by the union's executive board on November 20, 1971, and I include it at the conclusion of my remarks.

Mr. Speaker and my colleagues, let us never forget that with the possible exception of the Indians, we are all immigrants or the descendants of immigrants and that it is the foreign-born and their children who have built this Nation of ours.

ADOPTED BY THE EXECUTIVE BOARD OF THE FLM JOINT BOARD

We are deeply disturbed by the campaign being conducted by some newspapers against the foreign-born in our midst. Scare headlines trumpet the charge that "illegal aliens" are depriving Americans of jobs and inflating relief rolls.

That there are some aliens who are here illegally or who have overstayed their authorized time is certainly true—but the extent of the problem is by no means as great as the headline writers would have us believe. Even the Immigration and Naturalization Service has conceded that 97% of the so-called "illegals" are Mexicans, who have been induced to come here by unscrupulous employers. Nevertheless, the House of Representatives Subcommittee on Immigration is holding hearings on an Administration bill that would impose criminal penalties on all employers knowingly hiring noncitizens in illegal status.

Since the early days of our republic, the reactionary forces in our country have tried to make the foreign-born scapegoats for the failure of our government to solve the problems of the people. In Jefferson's day, it was the Alien and Sedition Laws. Today, it is the Walter-McCarran Act and other legislation that persecutes the aliens in our country.

Unemployment and rising relief costs are real problems. They will not be solved by pitting the native-born workers against the foreign-born, but rather by measures that will provide jobs and security for all Americans. Such a program has nothing in common with the Nixon Administration's program for economic depression and political repression. We urge the defeat of any measure that would further intensify the second-class status of foreign-born Americans.

THE LARGE FEDERAL FUNDS DEFICIT

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Saturday, December 4, 1971

Mr. BYRD of Virginia. Mr. President, the President of the United States and his administration are gathered at Key Biscayne, Fla., this weekend to consider the size of the budget which the President will submit to Congress next month.

I hope this important group will have in mind the smashingly large Federal funds deficit.

This is a matter of grave concern to the senior Senator from Virginia. I realize that many Senators do not share my deep concern.

But the figures, I believe, justify the assertion that our Nation is headed for great trouble as a result of these continued deficits.

I have prepared a tabulation showing Federal funds deficits, 1953 to 1972, inclusive.

I ask unanimous consent that the tabulation be published in the Extensions of Remarks.

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

DEFICITS IN FEDERAL FUNDS, 1953-72, INCLUSIVE

(Billions of dollars)

	Receipts	Outlays	Surplus (+) or deficit (-)
1953	\$64.7	\$74.1	-\$9.4
1954	64.4	67.5	-3.1
1955	60.2	64.4	-4.2
1956	67.9	66.2	+1.7
1957	70.6	69.0	+1.6
1958	68.6	71.4	-2.8
1959	67.9	80.3	-12.4
1960	77.8	76.5	+1.3
1961	77.7	81.5	-3.8
1962	81.4	87.8	-6.4
1963	83.6	90.1	-6.5
1964	87.2	95.8	-8.6
1965	90.9	94.8	-3.9
1966	101.4	106.5	-5.1
1967	111.8	126.8	-15.0
1968	114.7	143.1	-28.4
1969	143.3	148.8	-5.5
1970	143.2	156.3	-13.1
1971	133.6	163.8	-30.2
1972 ¹	143.0	178.0	-35.0
20-year total	\$1,853.9	\$2,042.7	188.8

¹ Estimated figures.

Source: Office of Management and Budget, except 1972 estimates.

ATTICA AND THE KERNER REPORT

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 2, 1971

Mrs. ABZUG. Mr. Speaker, Dan Crystal, who is an active and respected attorney in the State of New Jersey and a dear friend of mine, has written an article on the Attica incident and the unlearned lessons of the Kerner report. Although it is primarily addressed to the members of the Passaic County Bar Association, in whose journal it appeared, it is worthwhile reading for anyone concerned about our criminal justice system. I include it at this point in the RECORD and commend it to each of you:

ATTICA AND THE KERNER REPORT

(By Daniel Crystal)

"Life is a maze in which we take the wrong turning before we have learned to walk."—Cyril Connolly.

The recent riot at the Attica Prison in New York cost 43 lives.

Once again this country has been afforded an opportunity to take a long, hard look at a festering social problem which erupted in violence and bloodshed.

The summer of 1967 brought racial disorders to American cities, and with them shock, fear and bewilderment. The worst came during a two-week period in July—first in Newark and then in Detroit. Each set off a chain reaction in neighboring communities.

President Johnson established a National Advisory Commission on Civil Disorders chaired by Otto Kerner, Governor of Illinois. That Commission wrote a report, popularly known as the Kerner Report.

The Commission minced no words about the prime necessity to solve the ugly racial tensions revealed by its studies.

"Only a commitment to national action on an unprecedented scale can shape a future compatible with the historic ideals of American society. The major need is to generate new will—the need to tax ourselves to the extent necessary to meet the vital needs of the nation."

The Kerner Report was received, noted—and largely ignored. Its fate gives bitter confirmation to the sombre words at the conclusion of the Commission's summary of its report (Bantam Book edition, p. 29):

"One of the first witnesses to be invited to appear before this Commission was Dr. Kenneth B. Clark, a distinguished and perceptive scholar. Referring to the reports of earlier riot commissions, he said:

"I read that report . . . of the 1919 riot in Chicago, and it is as if I were reading the report of the investigating committee on the Harlem riot of '35, the report of the investigating committee on the Harlem riot of '43, the report of the McCone Commission on the Watts riot.

"I must again in candor say to you members of the Commission—it is a kind of Alice in Wonderland—with the same moving picture re-shown over and over again, the same analysis, the same recommendations, and the same inaction.

"These words come to our minds as we conclude this report.

"We have provided an honest beginning. We have learned much. But we have uncovered no startling truths, no unique insights, no simple solutions. The destruction and the bitterness of racial disorder, the harsh polemics of black revolt and white repression have been seen and heard before in this country.

"It is time now to end the destruction and the violence, not only in the streets of the ghetto but in the lives of people."

The Kerner Report was issued in March 1968.

The Attica Riot occurred in September 1971, more than three years later.

Once again a Study Commission has been appointed. Once again, we run the danger of substituting analysis for action, of re-studying familiar facts, of procrastination, face saving, and sweeping the problem under the rug.

We in the legal profession play our appointed roles in the machinery of justice and of the adversary process of law enforcement that sends men to prison. We respect the laws. We tend all too often to wipe out of our mind what happens to a defendant who is convicted and sentenced to prison.

Attica is a blunt reminder that the men who are sent away, black and white alike, still live, still have their individual problems to work out; that something is horribly wrong in our penal system and our prisons.

We must soberly consider why there is such a high rate of recidivism, whether there is any meaningful rehabilitation of prisoners in our prisons and jails, whether the reality of white racism so candidly pointed up in

the Kerner Report is inseparably interlinked with the problems of prison inadequacy, of drug addiction, of poor education, of all the unsolved problems that plague our society.

In short, we must consider whether what occurred in Attica is but one of the many symptoms that show us again and again that fundamental changes must be made the urgent business of our society.

The Kerner Commission concluded that the only possible course for a sensible and humane nation was "a policy which combines ghetto enrichment with programs designed to encourage integration of substantial numbers of Negroes into the society outside the ghetto."

Whatever may be said about some of the demands of the prisoners involved in the Attica riots (for example, the demand for amnesty), it is difficult to read other demands without a feeling of shame that a great State could possibly permit any prison to deprive a prisoner of basic essentials to human dignity contained in those demands.

Attica, of course, is in New York. We, as New Jersey attorneys, have primary responsibility to do all that we can to assure that there are humane, progressive penal practices followed in the prisons of our own State. Each bar association ought to make it a major field of interest to assure that there are no Atticas in New Jersey—either in terms of the conditions that caused the riot, or of the danger of a parallel riot in any of our State prisons and jails.

But keeping the lid on our prisons and jails will simply not do the job. It will be like using a band-aid where the diagnosis requires radical surgery.

Suppose that Attica or our own prisons in New Jersey were to be rebuilt completely. Fantasize that all the reasonable and legitimate demands of the inmates had been met. Let your imagination run freely. There are Spanish-speaking and black guards; censorship has eased; there is full freedom of religion, including freedom for those inmates who are Black Muslims; the food is decent and nourishing; daily showers are available, the screens between visitors and inmates have been removed.

Suppose too that this reform of our prisons brings classrooms, counseling with trained psychologists and an opportunity for personal rebuilding through group therapy sessions, even release programs or other methods of providing the opportunity for a normal sex life for the inmates, a good library, vocational training that means something more than learning to make license plates, for example—a skill for which the prisoner has absolutely no use on the outside. Suppose too that prison officials are attempting in good faith to remember that inmates are human beings with dignity and self-respect.

Will that cure the problems of our prisons and jails?

It will help tremendously, certainly. But unless we are prepared to continue to ignore the lessons so painfully learned in the 1967 civil disorders, and so painstakingly set forth in the Kerner Report, we shall once again be dealing with symptoms rather than with fundamental causes.

What is the road to Attica? To Rahway State Prison? To the New Jersey State Prison at Trenton? Read the Kerner Report. Start with families uprooted, with bad housing, with slumlords, with racial prejudices, with pushers and drug addiction; with overcrowded schools and overworked or indifferent teachers, with unresponsive social agencies; with the pervasive feeling in the mind and heart of a child growing up in the urban or rural slum, or in the black ghetto that he is left out and unwanted. This is not a matter of race completely, for underprivileged whites are subject to somewhat similar pressures.

Doing something about the conditions we

all know exist would have a decisive effect in reducing the number of ghetto residents who commit the crimes that consign them to the Atticas of our nation.

Can something be done to bring about rehabilitation and end recidivism?

Most certainly, much more can be done than is now being implemented.

Imaginative use of plans that restore the dignity of men in places like Attica, instead of degrading their self-respect, can be of immeasurable service.

For example, there could be prerelease of the convict to a structured work environment in the community. Such an environment is provided in New York City by Pioneer Services, a corporation which hires a man only if he has a criminal record, a history of drug abuse or alcoholism, and has been unable to hold a job anywhere else.

Pioneer has had encouraging success, according to reports of its first undertaking—a messenger service employing 25 ex-heroin addicts now on methadone. This is a non-profit, low-stress work program with supportive services. The men have stuck to the program. Out of 10,000 messages delivered since April when the program started, not one has been lost. Morale is high and the men are helping to sign up new clients.

Atticas with all their violence do not happen overnight. The inmates of Attica had been petitioning for many months trying to secure remedial action for the conditions there. The prison officials did nothing concrete to alleviate the conditions. The riot ensued.

Unless we are to have more Atticas, with only the names of the inmates, the guards, and the prisons changed, we must learn from the lesson of Attica.

The Kerner Commission recommended the following objectives for national action:

. . . Opening up opportunities to those who are restricted by racial segregation and discrimination, and eliminating all barriers to their choice of jobs, education, and housing.

. . . Removing the frustrations of powerlessness among the disadvantaged by providing the means for them to deal with the problems that affect their own lives and by increasing the capacity of our public and private institutions to respond to these problems.

. . . Increasing communications across racial lines to destroy stereotypes, to halt polarization, end distrust and hostility, and create common ground for efforts toward public order and social justice.

It is in these fundamental recommendations that ultimately the answer to the Attica of our nation lies. So long as we divert our national resources to the waste of war the job will simply not be done.

It is a simple choice that we face: The waste of war or a commitment to the needs of peace.

Attica is like a bolt of lightning lighting up the night sky with a warning of what can happen.

Do our prisons in New Jersey rehabilitate those sent there?

Are there things that can be done in New Jersey to send prisoners back on the street, not as hardened criminals, but as useful members of society, with a feeling of dignity and self-worth?

Are we in New Jersey chargeable with ignoring readily ascertained problems in our prisons that can and must be corrected?

There is no pat answer to these basic questions. Realistic, meaningful solutions must be found.

Unless we, as a State and as a nation, finally do something about the recommendations contained in the Kerner Report, reforms in our prisons and jails will not provide a fundamental solution to the problem.

Prison reform is but one aspect of a far more serious problem. That problem was

stated with utmost candor in the Kerner Report:

"This is our basic conclusion: Our nation is moving toward two societies, one black, one white—separate and unequal.

"Reaction to last summer's disorders has quickened the movement and deepened the division. Discrimination and segregation have long permeated much of American life; they now threaten the future of every American.

"The deepening racial division is not inevitable. The movement apart can be re-

versed. Choice is still possible. Our principal task is to define that choice and to press for a national resolution."

Forty-three men, both black and white, prisoners and guards, died at Attica this September.

Attica was emphatically not a racial confrontation so far as the relationship of the inmates with each other was concerned. White prisoners were as deeply involved as were blacks and Puerto Ricans. There was unparalleled unity * * * the prisoners. But to

the extent that a very large number of the inmates were black, and most, certainly, came from disadvantaged backgrounds, regardless of race or ethnic background, the problems analyzed in the Kerner Report are the ones which explain how these inmates came to be in prison, and why their feeling of utter frustration and degrading loss of human dignity erupted into the confrontation which cost so many lives.

The lessons of the Kerner Report cannot be ignored much longer.

SENATE—Monday, December 6, 1971

(Legislative day of Saturday, December 4, 1971)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. ELLENDER).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Thou King of Kings and Lord of Lords, our Creator and our Judge, we thank Thee for the season of great expectation and for Thy first advent. Keep us ready in our worship and our work for any sudden divine appearance when Thou shalt come to judge the world. O Lord make us strong but gentle, thorough in discipline but gracious in bearing, resolute in purpose, impatient with evil, and merciful toward all people. Keep alive the radiant hope when all men shall seek first the kingdom of God and His righteousness. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Saturday, December 4, 1971, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations under the Department of the Treasury, as reported to the Senate last Friday. They have evidently been cleared all the way around. There is no "hold" on them, so I call them up.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. The nominations on the Executive Calendar, under the Department of the Treasury, will be stated.

The second assistant legislative clerk read the nomination of Romana Acosta

Banuelos, of California, to be Treasurer of the United States.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

The second assistant legislative clerk read the nomination of Edgar R. Fiedler, of New York, to be an Assistant Secretary of the Treasury.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed; and, without objection, the President will be immediately notified of the confirmation of these two nominations.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

WEATHER MODIFICATION REPORTING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 519, H.R. 6893.

The PRESIDENT pro tempore. The bill will be stated by title.

The assistant legislative clerk read as follows:

H.R. 6893, to provide for the reporting of weather modification activities to the Federal Government.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to the consideration of the bill, which had been reported from the Committee on Commerce with amendments on page 1, line 10, after the word "nonprofit", strike out "which" and insert "who"; in the same line, after the word "is", strike out "not"; on page 2, line 1, after the word "activities", insert "except where acting solely"; in line 3, after the word "any", strike out "intentional, artificially produced change" and insert "activity performed with the intention of producing artificial changes"; at the top of page 3, insert:

(c) In carrying out the provisions of this section, the Secretary shall not disclose any information referred to in section 1905 of title 18, United States Code, and is otherwise unavailable to the public, except that such information shall be disclosed—

(1) to other Federal Government departments, agencies, and officials for official use upon request;

(2) in any judicial proceeding under a court order formulated to preserve the confidentiality of such information without impairing the proceeding; and

(3) to the public if necessary to protect their health and safety.

And, at the beginning of line 14, insert "whose activities relate to weather modification".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-537), explaining the purposes of the measure.

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

PURPOSE

The purpose of the legislation is to require all persons engaged in nonfederally sponsored weather modification activities in the United States to report those activities to the Secretary of Commerce.

BACKGROUND AND NEED

Field experiments in scientific weather modification were first attempted in 1946. During the past 25 years basic research in the field has brought scientific weather modification to an operational state in the areas of precipitation augmentation and supercooled fog dispersal. The areas of destructive storm modification, hail and lightning suppression, warm fog dispersal, and more accurate weather prediction methods have also progressed dramatically.

In 1958 the National Science Foundation was given the authority by Public Law 85-510 to require persons engaging in weather modification activities to report such activities. They were also given the responsibility to set up a program of research and evaluation in weather modification and make annual reports on their findings to the Congress and the President. Ten years later in 1968, Congress enacted Public Law 90-407, which repealed the powers of the National Science Foundation to require persons to report all weather modification activities. Since then, no other Federal department or agency has been given that authority.

At present there exists no central information source to provide a complete picture of the "state of the art" in weather modification. Since the expertise in this field, like so many scientific endeavors, is created through an eclectic process, a central information source to which all scientists and environmentalists can refer to in order (1) to compare their results against those of others, (2) to prevent unnecessary duplication of re-