

UNITED STATES



OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 93^d CONGRESS
FIRST SESSION

VOLUME 119—PART 32

DECEMBER 13, 1973 TO DECEMBER 18, 1973

(PAGES 41257 TO 42368)

RECEIVED

AUG 13 1975

*U. S. International Trade
Commission
Law Library*

ally save countless lives, to say nothing of adding immeasurably to the peace and stability of the world.

Will this conference lend truth to the words of this verse which appeared way back in 1966 in *Punch*, the provocative British publication?

In countless back alleys,
No cradle or bed,
A million sweet children
Cry out to be fed.

Rich nations, as distant
As stars in the sky,
Look down on their hunger
And heave a sad sigh.

"We'll send you our leavings,
If any," they say,
"But we, too, are starving
On three meals a day."

Or will these meetings result in the issuance of a call to all Americans to support a policy based upon the responsible and compassionate sharing with others of the fruits of America's agricultural prowess?

"America. America. God shed His grace on thee."

America. America. Appreciative of His gifts, reasoned, responsible, just and compassionate let the thoughts and actions of this conference on national food policy be.

CHILD ABUSE BILL

Mr. MONDALE. Mr. President, as my colleagues know, S.1191, the Child Abuse Prevention and Treatment Act, has been passed by both Houses of Congress, and will soon be referred to the President for his signature.

Recently a group of State legislators came to Washington to attend meetings set up by the National Legislative Conference on issues of concern to them. I am pleased to report that both the Task Force on Law Enforcement, and the full Intergovernmental Relations Committee of the Conference endorsed a resolution which supports the concepts of child abuse prevention and treatment embodied in S. 1191. I request unanimous consent that the text of this resolution be printed in the RECORD.

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

RESOLUTION

The Task Force on Law Enforcement and Criminal Justice of the Intergovernmental Relations Committee recognizes that the problem of child abuse and neglect is as complex as it is compelling and that the programs to protect the abused and battered child and to treat the disturbed parent are not presently sufficient. Lack of resources has caused many promising programs to be abandoned and through lack of a coordinating mechanism States have not been able to fully share their experiences and techniques.

The Task Force, therefore, recommends that Congress enact legislation to create a National Office on Child Abuse and Neglect to conduct research, disseminate information and to act as a clearinghouse for child abuse programs. The National Office should also provide substantial funding through grants to States to establish their own demonstration projects and programs to identify, treat and prevent child abuse and neglect.

WIRETAPPING AND OTHER SURVEILLANCE ACTIVITIES

Mr. MONDALE. Mr. President, recent opinion polls underscore the public's

concern with Government wiretapping and other surveillance activities. In October 1973, for example, Louis Harris reported that 77 percent of the public now favors legislation to make illegal wiretapping a major offense and that 73 percent of the public now favors legislation to make political spying a major offense. In another poll conducted for the Senate Subcommittee on Intergovernmental Relations and released last week, Harris concluded that the public will no longer tolerate Government secrecy because it "can be used as a screen for subverting their freedom."

Senators NELSON and JACKSON have responded to these public concerns by introducing a bill (S. 2738) to create a joint committee of Congress to provide the critically necessary oversight of Government surveillance activities.

In his column on Tuesday, December 11, 1973, Tom Wicker of the *New York Times*, discussed the need for Congress to consider the Nelson-Jackson bill as a means to curb illegal and unethical Government surveillance activities. Mr. Wicker's explanation of the bill's provisions is both clear and timely.

Mr. President, I ask unanimous consent to print Mr. Wicker's column in the RECORD.

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

CHECKING UP ON THE SNOOPERS

(By Tom Wicker)

In the rush of more spectacular news, it escaped public notice that the Senate recently took a small step toward closing a large loophole Congress had opened in the Fourth Amendment rights of American citizens. A nice bit of political footwork by Senator Sam Ervin, chairman of the constitutional rights subcommittee, should at least make the supervisors of Federal narcotics agents keep their men on a tighter rein.

Mr. Ervin took advantage of a measure that the House had passed to amend a Justice Department reorganization plan. The Nixon Administration had promised to secure the amendment which would bar the pending transfer of hundreds of immigration inspectors, because without such amendment the Federal employe unions would have blocked the reorganization plan.

As chairman of the Government Operations Committee, Mr. Ervin sat on the amending bill until the Administration also promised not to oppose a rider providing that the victims of so called "no-knock" raids could sue the Federal Government for any damages suffered in such raids. Victims of these raids, which require no warning before entry, could also sue the agents involved, or both Government and the agents.

Such victims have often been totally innocent persons, subjected to "no-knock" entry, terrorization, embarrassment, property damage and personal injury (a few deaths also have resulted) either through mistaken identity or over-zealous agents. The Ervin rider—which ought to clear the House, too, because of the Administration's promises—will provide additional means of redress and probably will make agents and supervisors more careful and respectful of the rights of citizens.

That is useful progress toward undoing the damage done in the long years of national security and anticrime mania, when the American people have been driven further than most of them know toward an Orwellian era of surveillance and state control of the individual. Now the Senate has an opportunity to take an even more important

remedial step, thanks to a bill introduced by Senators Gaylord Nelson and Henry Jackson.

This measure would establish a Senate-House "joint committee on the continuing study of the need to reorganize the departments and agencies engaging in surveillance." Senators Nelson and Jackson will have to find a handier title than that—say, the Joint Committee on Spooks—but theirs is an idea whose time has not only come but is long overdue.

This committee—to be drawn from the membership of numerous others that now have some relationship to Federal investigative and police agencies—would have two basic functions. It would undertake a continuing study of the nature and scope of all surveillance activities conducted by Federal agencies, with officials of each of these agencies required to appear once a year to justify their activities.

The committee would also review the relationships between these agencies, and with similar local and state agencies, with a particular eye to the sharing of information among them, and the safeguarding of shared information. This is a particularly important point, owing to the proliferation in recent years of computerized data banks linked by high-speed communications.

A massive problem already has been created by these new techniques for storing and retrieving the most minute data about people. For only one example, a study by the Urban Policy Research Center for the California Department of Justice showed that by November, 1972, there were in that state alone the incredible number of 139 "computerized criminal justice information and communications systems," many of them supported by various Federal grants. They ranged from a statewide "integrated program to combat organized crime" to, say, the city of Mountain View's "traffic records project."

Surveillance—much of it appearing harmless enough—is obviously a growing concern. From Senator Nelson's speech introducing the bill for a joint committee to check up on Federal spies, just a few examples suffice to make the point:

Until checked, the Army in the 1960's had more than 1,500 plainclothesmen reporting on individuals to scores of data banks.

Between 1968 and 1972, Federal, state and local governments wiretapped more than 1,623,000 conversations involving about 120,000 people.

A report from the Department of H.E.W. said flatly last summer, "Under current law, a person's privacy is poorly protected against arbitrary or abusive record-keeping practices."

Alan Westin in his book, "Privacy and Freedom," reported that "at least fifty different Federal agencies have substantial investigative and enforcement functions, providing a corps of more than 20,000 'investigators'..."

THE ENERGY CRISIS: ECONOMIC, POLITICAL, AND SOCIAL REALITIES

Mr. FULBRIGHT. Mr. President, there recently came to my attention a statement by Prof. Thomas R. Stauffer, of Harvard University, entitled "The Energy Crisis: Economic, Political, and Social Realities." It is a thoughtful and provocative discussion of the most important problems facing our country today. I think the statement is worthy of the attention of my colleagues, and I ask unanimous consent to have it printed in the RECORD as part of my remarks.

There being no objection, the state-