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pluses—are all but gone. The planned phaseout of the commodity distribution program is not so much the result of planned intent, but the inevitable result of present shortages in worldwide production; there simply are no commodities to distribute.

It has been my view for some time that creation of a national food reserve and U.S. support for a worldwide grain reserve is a crucial priority for American policy. Recently, along with my Republican colleague from Vermont, GEORGE AIKEN, I introduced a resolution calling for this.

But America must also prepare itself to meet the threat of shortages of food during emergencies right here in our own country. As it stands now, a real emergency—a major flood or hurricane—might find us without a cushion to fall back on.

Historically, during natural disasters, USDA has used the foods stored for the family commodity food program and the school lunch program to give to the American Red Cross and other voluntary organizations for distribution to needy families. And of the two programs, the stocks of the family commodity distribution program have proved the most versatile due to the sizes of the packages and the varieties of commodities purchased for that program. Juices, for example, which are in great demand during any disaster which affects the water supply, are purchased almost exclusively for the family commodity program.

Because of a shortage of food supplies for the commodity program, however, the Congress has mandated a nationwide food stamp program by July 1, 1974, which effectively phases out the family commodity distribution program.

I believe that this is a sound nutritional step. However, it is incumbent upon the Congress to insure that in the process of phasing out the commodity program other programs, which although smaller are no less important, are not prejudiced. The emergency food program is potentially such a program.

It is for these reasons that, along with Senator MAGNUSON of the State of Washington, I have introduced the National Food Bank Act.

The National Food Bank Act would authorize the Secretary of Agriculture to purchase such amount and varieties of food as he deemed nutritionally adequate to be used as emergency stocks during natural disasters. The Secretary would also be authorized to set up regional warehouses to store the food wherever it was believed convenient and accessible.

Red Cross officials have indicated in testimony before the Nutrition Committee that the current phasing down of USDA's commodity distribution program of family assistance is already creating difficulties for food distribution during natural disasters, and that the scheduled complete phaseout of the program in July 1974 may create a significant threat of actual food shortages during a major natural calamity, such as a hurricane on the order of Agnes in June 1972.

The existence of the family distribution program, with its prepared packets

of packaged foodstuffs already broken down into family-sized components provided a valuable asset to local disaster relief officials who could simply pass these out to affected families after the initial emergency was over, but before the local food distribution system and local economy returned to normal.

This was especially helpful in reducing paperwork. It was not necessary for disaster victims who would soon be back on their feet on their own to go through the conventional redtape attendant to application for welfare assistance. It is this system which is now breaking down.

In the April floods in Houston, Tex., and local disasters in Illinois and Oklahoma, Red Cross officials found their requests for food through the schools rejected for the first time. Local officials knew that USDA did not have reserves of surplus meat, cheese, and other essential nutrients to replenish community stocks. They therefore did not permit the Red Cross to distribute or utilize their own stocks of these foods, for fear that they could not be replaced.

These local situations did not become tragedies only because the scale of the disasters was small, and it was possible to purchase food directly from commercial sources near the disaster. In a large scale emergency, however, the Red Cross indicates that serious problems could arise, especially if the commercial system itself was disrupted as is generally the case in a major earthquake or hurricane. Once the commodity program is phased out, there will be no stockpiled source of family-style food to distribute. Furthermore, as supplies of commodities purchased for other programs decline, there will be no actual food owned by the Government to distribute at all.

The planned utilization of food stamp distribution, in the view of the Red Cross, represents an inadequate substitute for this purpose. First, these officials note that in some areas local programs are requiring disaster victims to meet all the income and other qualifications of their State programs. The disaster victims are required to fill out forms and must wait in some instances as long as three weeks before they can get their initial books of stamps. This system thus does not assist the Red Cross during the initial days of the disaster at all. The second drawback is that food stamps do not always work in disaster situations if commercial outlets are not available. In last year's heavy snowfall on Indian reservations in several Western States, food packets from the family commodity program were air-dropped to stranded families who could not reach stores.

With a very modest investment of approximately \$6 million of section 32 funds we in the Congress can insure that the step forward that was achieved by the mandating of a nationwide food stamp program does not result in two steps backward during a natural disaster.

I strongly urge my colleagues in the Congress to endorse the National Food Bank Act prior to the phasing out of the commodity distribution program—next July 1, to allow for a smooth transition. Too often we in the Congress are not

given the opportunity to act prior to an emergency, but are forced to act under the gun without the time to investigate all the alternatives. With the National Food Bank Act we have the opportunity to prevent a potential nightmare for millions of Americans instead of trying to cure the ill after the fact.

S. 2577

A bill to provide for the storage of food commodities in geographically dispersed areas of the United States for use during any major disaster in the United States.

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 "National Food Bank Act".

SEC. 2. The Secretary of Agriculture (hereinafter referred to as the "Secretary") is authorized and directed to provide for the storage of food commodities in geographically dispersed areas of the United States so that such commodities will be readily and conveniently available for distribution in any area of the United States which suffers a major disaster (as determined by the President under the Disaster Relief Act of 1970).

SEC. 3. The Secretary shall utilize funds appropriated under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to purchase food commodities necessary to provide adequate supplies for use in any area of the United States in the event of a major disaster in such area. The Secretary shall determine the quantities and kinds of food commodities to be stored in any area, taking into consideration the kinds of food needed to provide a nutritionally balanced diet and the storability of such commodities.

SEC. 4. The Secretary shall, to the maximum extent practicable, utilize storage facilities provided by the Secretary for the storage of food commodities necessary to carry out the program established under this Act for the storage of food commodities used in carrying out other programs administered by the Secretary, including, but not limited to, the school lunch program (carried out under the National School Lunch Act) and the school breakfast program (carried out under the Child Nutrition Act of 1966).

SEC. 5. The Secretary is authorized to take such action as he deems necessary to maintain fresh, nutritious supplies of food commodities and to provide for the periodic turnover of such commodities to avoid spoilage thereof.

SUPPORT FOR HIGHER EDUCATION

Mr. MONDALE. Mr. President, at a recent meeting of the Committee for Corporate Support of American Universities, Mr. David Packard, former Deputy Secretary of Defense, urged corporations to stop making unrestricted gifts to colleges and universities.

The implications this proposal has for the integrity and independence of higher education are extremely disturbing. A recent editorial in the New York Times correctly termed this proposal a "call for corporate retreat from enlightenment."

I share the deep concern this thoughtful editorial expressed about the Packard proposal, and ask unanimous consent that it be printed in the Record at the close of my remarks. To begin insisting on some specific return or result for every corporate contribution would impose a serious and unnecessary limitation on the freedom and autonomy of our higher education institutions.

There being no objection, the editorial

was ordered to be printed in the RECORD, as follows:

Times Mon. Oct. 29

NOT FOR SALE

In urging corporations to put a stop to the practice of making unrestricted gifts to colleges and universities, David Packard is attempting to turn the clock of education and social progress back by twenty years. It was in 1953 that Frank W. Abrams, then chairman of the board of Standard Oil of New Jersey, established the legitimacy of unrestricted corporate gifts to higher education. A test case instigated by Mr. Abrams culminated in a landmark decision in the New Jersey Superior Court hold that corporations are not only entitled but actually have an obligation to support higher education—without strings attached—as the engine of economic and social progress.

It is against such an enlightened policy that Mr. Packard, chairman of the Hewlett-Packard Company and former Deputy Secretary of Defense, now pits his view of the relationship between campus and industry. He sees university governing boards no longer as safe and respectable carbon copies of corporate boards of directors but rather as untrustworthy assemblies of a motley crowd of "students, faculty, alumni, various ethnic groups, etc."

Mr. Packard's vision of what has happened to university boards in the aftermath of the rebellious nineteen-sixties is a figment of panicky imagination. The conservative serenity of such bodies has, unfortunately, been little shaken by the admission of an occasional member who has yet to celebrate his fiftieth birthday.

His distorted view has spawned Mr. Packard's belief that a new breed of trustees would spend industrial donations in ways the corporations could not defend to their stockholders. If Mr. Packard prevails, the only legitimate way for such benefactions to be distributed would be by first making certain that they "contribute in some specific way to our individual companies, or to the general welfare of our free enterprise system."

Higher education owes no *quid pro quo* to any donors—private, corporate or governmental. A campus that bartered away its autonomy would very soon cease to supply the nation—and the corporations—with any human product worth the price of the degree.

Ironically, Mr. Packard issued his call for corporate retreat from enlightenment before a meeting of the Committee for Corporate Support of American Universities—an audience of top-level business executives and of academic presidents. These university spokesmen could do much to shore up the American people's faith in the integrity and future independence of higher education by forthrightly disassociating themselves from the pernicious doctrine that their institutions are for sale.

IMPOUNDED FUNDS, AS OF SEPTEMBER 30

Mr. METCALF. Mr. President, the 93d Congress has been properly interested in restoring its position in the budgetary process. Some progress is being made.

Earlier this session, the Congress approved a measure that would require Senate confirmation of the incumbent Director and Deputy Director of the Office of Management and Budget. The President vetoed that bill. The Senate voted to override the veto. The House effort to override failed. Subsequently, the Senate Committee on Government Operations reported S. 37, which would provide for the confirmation of all future Directors and Deputy Directors of

OMB. That bill was passed by the Senate on June 25. It is currently pending before the House Committee on Government Operations.

Provisions, in the Alaskan pipeline bill, which would remove OMB's control over the information requests of independent regulatory commissions, have been approved by both the Houses and Senate.

The Senate Committee on Government Operations has approved budget control legislation. The House Rules Committee is nearing completion of similar legislation.

Some of us have sought for years to restrict executive impoundment. Legislation in this area has been approved by both Houses and differences can be resolved in conference.

In previous years the only way Members received impoundment figures was to extract the information, after considerable delay, from OMB officials. The Federal Impoundment and Information Act, approved a year ago, now requires public, quarterly reports of all impoundments.

The most recent Executive report on impoundments shows that approximately \$7.446 billion in "budgetary reserve" exists as of September 30, 1973. It shows that funds are impounded in every Cabinet-level department except the State Department, and also in the Atomic Energy Commission, General Services Administration, NASA, Veterans' Administration, National Science Foundation, and the Small Business Administration.

Mr. President, each Member should carefully review this unheralded, yet vital, report. I ask unanimous consent that the October 15 report, along with Director Ash's letter of transmittal, be printed in the RECORD.

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

OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., October 15, 1973.

HON. JAMES O. EASTLAND,
President pro tempore,
U.S. Senate,
Washington, D.C.

DEAR SENATOR EASTLAND: The enclosed report is submitted pursuant to the Federal Impoundment and Information Act, as amended. In accordance with that Act, the report is being transmitted to the Congress and to the Comptroller General of the United States, and will be published in the Federal Register.

Sincerely,

ROY L. ASH,
Director.

Enclosure.

BUDGETARY RESERVES AS OF SEPTEMBER 30, 1973

INTRODUCTION

The Director of the Office of Management and Budget, under authority delegated by the President, is required to apportion funds provided by the Congress. The apportionments are required under the Antideficiency Act (31 U.S.C. 665) and generally are for the current fiscal year. Under the law, such apportionments limit the amounts which may be obligated during specific periods.

The Antideficiency Act authorizes the withholding of funds from apportionment to provide for contingencies; or to effect savings made possible by or through changes in re-

quirements, greater efficiency of operations, or other developments subsequent to the date on which the funds were made available. In cases where the law specifies by year the amount of contract authority available a year in advance, a distinction is made in the report between the 1974 and 1975 programs. There are other specific provisions of law which provide that funds should be available over a period longer than one year; in such cases, the funds generally are not fully apportioned in the current year, and the unapportioned part is withheld, to be released later for use in the next year or years. Thus, some amounts are withheld from apportionment, either temporarily or for longer periods. In these cases, the funds into apportioned are said to be held or placed "in reserve." This practice is one of long standing and has been exercised by all recent administrations as a customary part of financial management.

On occasion the Congress has explicitly required that an amount be placed in reserve pending an administrative determination of need (e.g., the 1973 Agriculture-Environmental and Consumer Protection Appropriation Act—Public Law 92-399). Most reserves, however, are established upon the initiatives of the Executive Branch based on an operational knowledge of the status of the specific projects or activities. For example, when the required amount of work can be accomplished at less cost than had been anticipated when the appropriation was made, a reserve assures that savings can be realized and, if appropriate, returned to the Treasury. In other cases, specific apportionments sometimes await (1) development by the affected agencies of approved plans and specifications, (2) completion of studies for the effective use of funds, including necessary coordination with the other Federal and non-Federal parties that might be involved, (3) establishment of a necessary organization and designation of accountable officers to manage the programs, or (4) the arrival of certain contingencies under which the funds must by statute be made available (e.g., certain direct Federal credit aids when private sector loans are not available).

From time to time additional reserves are established for such reasons as the necessity to conform to the requirements of other laws. An example is the executive's responsibility to stay within the statutory limitation on the outstanding public debt.

The total of reserves for the 1974 program as of September 30, 1974, is 2.8% of the total estimated budget outlays for the year. Since the report as of June 30, 1973, the total of reserves has been reduced by nearly \$300 million. As shown in the report, reserves of nearly \$1.5 billion established in FY 1973 which were being held for FY 1974 programs have been released to provide or to supplement available budgetary resources for 1974 programs. Reserve actions have been initiated in some programs and amounts in reserve increased in others to await the development of 1974 program and project plans, to meet contingencies during the 1974 program year, and, in the case of programs which have been provided obligational authority beyond the current fiscal year, to ensure that funds will be available beyond FY 1947.

REPORT REQUIRED BY LAW

This report is submitted in fulfillment of the requirements of the "Federal Impoundment and Information Act," as amended, which provides for a report of "impoundments," and certain other information pertaining thereto. This report lists the budgetary reserves which were in effect as of September 30, 1973.

The Antideficiency Act requires that all apportionments be reviewed at least quarterly, and that reapportionments be made or reserves be established, modified, or released as may be necessary to further the effective use of the funds concerned. Thus, in answer