

UNITED STATES



OF AMERICA

*U.S. Congress.*

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 93<sup>d</sup> CONGRESS  
FIRST SESSION

VOLUME 119—PART 9

APRIL 3, 1973 TO APRIL 11, 1973

(PAGES 10643 TO 12002)

the humanist, ranks with the greatest creative persons of our time.

#### CONGRESS SHOULD APPROVE REQUEST FOR ARTS

Mr. DOMINICK. Mr. President, I am pleased to announce my support of S. 795, the arts and humanities bill, which will continue funding for the National Foundation on the Arts and Humanities. From my observation, I believe that at the present time, we are witnessing a new awareness upon the part of all of our citizens of the value and benefits which the arts and humanities can provide to any great society.

In my home State, for example, the city of Denver now boasts of a new art museum. The museum enjoys wide community support as evidenced by the fact that funds for the new building were raised locally. After the building's completion, it was turned over to the city and county of Denver. Previously, I had the honor of serving as an officer and trustee of the museum for more than 8 years, and its present curator is Otto Bach, a talented and able man who happens to be a direct descendant of Johann Sebastian Bach.

Just last September the voters of that city passed a bond issue in the amount of \$6 million for construction of a new center for the performing arts which should, among others, house the Denver Symphony Orchestra. That orchestra is acquiring a reputation as a respected addition to the fine symphony orchestras of the country. I would like to point out to my distinguished colleagues that the orchestra has announced a tour of eastern cities in March of next year, which will include stops at Carnegie Hall and the Kennedy Center here in Washington.

The Summer Opera Festival in Central City, Colo., has attained a national reputation for the quality of its performances. The list of opera stars who have appeared there includes Beverly Sills, James McCracken, Lucine Amara, Sherrill Milner, and Cornell McNeill. The list of drama stars who have appeared includes Shirley Booth, Julie Harris, Walter Huston, and Helen Hayes. This summer added to that list will be Sir Michael Redgrave and Dame Peggy Ashcroft.

The Denver Post on April 8, 1973, gave editorial support to this bill and at this time, Mr. President, I ask unanimous consent that the editorial be printed at this point in my remarks.

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

#### CONGRESS SHOULD APPROVE REQUEST FOR ARTS

Hearings have been underway since last month on Capitol Hill over the budget request of the National Endowment for the Arts.

The reception thus far has been extremely favorable, even though the Nixon administration has asked for a doubling of the federal spending for the arts—from \$38 million in fiscal 1973 to \$80 million in fiscal 1974.

The crunch will come, however, in the House Appropriations subcommittee, which started its hearings last week and will set the

actual dollar amount for the National Endowment's appropriation.

By any standard, the \$80 million recommended by the Nixon administration is a small investment for the federal government to make in support of many vital programs in the arts in communities, large and small, throughout the nation.

In Colorado, for example, National Endowment funds have proved significant for the operations of the Denver Symphony Orchestra, the Denver Art Museum, the Central City Opera House Association, and for a number of local theatre and dance companies and other groups. And the recent visits of the American Ballet Theatre to Denver and the "Artrain" to smaller communities in the state were made possible by National Endowment grants.

Similar activities in all 50 states have been given essential support through such federal grants.

If the National Endowment is to meet its current commitments, let alone expand them, the \$80 million can only be considered a minimal figure, particularly since part of the funds are due to be earmarked for programs related to the nation's bicentennial celebration in 1976.

It is important, above all, that the programs supported by National Endowment not lose the momentum gained since the agency's creation in 1965.

During those eight years, Americans have come to learn what Europeans have known for a long time: that federal subsidy need not mean federal control of the arts.

If Nancy Hanks, the able chairman of the National Endowment for the Arts, has her way, appropriations for the arts will continue to grow each year to meet national needs.

"One of the reasons the funds have increased," Miss Hanks emphasizes, "is that as usual the public is ahead of the federal government. People want involvement of arts in their daily lives."

Congress ought to give full and early approval to the President's budget request for the arts.

Mr. DOMINICK. Since its enactment in 1965, the act creating the National Foundation on the Arts and Humanities has proved itself a worthy vehicle by which the Federal Government can and has participated in the patronage of the arts in a direct and beneficial manner. Passage of this year's bill, which increases funding within the guidelines set forth by the administration, will allow an increase in the support and encouragement of activity and interest in the arts and humanities, as well as involve the Foundation actively in participation in planning for the upcoming Bicentennial celebration of 1976.

Therefore, Mr. President, I am pleased to support this bill which will continue to aid in providing greater cultural riches for all Americans.

#### PERCY-MONDALE BILL TO EXTEND FOR 2 YEARS PROJECT GRANT AUTHORITY UNDER TITLE V OF SOCIAL SECURITY ACT

Mr. JAVITS. Mr. President, I am pleased to join Senators Percy and Mondale in the introduction of a bill to extend for 2 years the special project grant authority of the maternal and child health program of title V of the Social Security Act.

Although the States were to assume responsibility for special project grants

beginning July 1972—pursuant to the 1967 Amendments to the Social Security Act which reorganized title V and provided for formula, special project, and research and training grants—Congress extended the authority for the special project grants for 1 year through June 1973. The extension was the result of a report by the Comptroller General which pointed out that many States would not have the funds to continue projects which are not operating successfully, and that neither the Federal agency nor the States had made plans for the transition.

There are still serious problems in carrying out the formula grant provisions. A major proportion of the funds for special project grants has been concentrated in few States principally for projects in urban areas with little or no health care resources. This, of course, is consistent with the intent of Congress. However, the formula by which funds are distributed to the States provides for a distribution weighted in favor of rural States having low per capita incomes. These States would naturally benefit by the distribution of greater resources through the formula grants. Consequently, there is no way of assuring that cities which now have several projects, will have the resources to maintain these activities. Thus, many programs will be eliminated or significantly reduced.

When comparing the maternal and child health formula fund in the 1974 budget estimate, with the formula and project grant funds in 1973, New York State suffers a loss of \$7,979,200 because of the unfair allocation formula. In 1973, under the formula grant and project grant provisions, the total funding was \$15,480,000 for New York. In 1974, New York would receive only \$7,501,200, because project grants were "folded-in" to the unfair 1935 formula State allocations.

It should be pointed out that this is not the result of any reduction in appropriations. Maternal and child health is not one of the activities designed to be phased out or significantly reduced by the administration, indeed the fiscal year 1974 appropriation request is \$244 million, an increase of \$5 million over the 1972 appropriation. The evidence supports my belief that title V projects represent one of the best investments in the Federal health care dollar.

In 1968, the cost per registrant was slightly more than \$200 whereas in 1970, the cost per registrant is below \$150. This compares most favorably to the cost per child covered under title XIX, approximately \$300 per child. It should also be pointed out that services under title V are comprehensive and coordinated and include additional benefits not available under title XIX such as nutritional services and various social services.

#### CHILD ABUSE

Mr. MONDALE. Mr. President, the Subcommittee on Children and Youth, of which I am chairman, last week began an inquiry into a heartbreaking and widespread problem—child abuse. During the 3 days of hearings we heard testi-

mony from witnesses who have had personal experience with various aspects of the problem: a former child abuser, doctors, lawyers, social workers and researchers.

In the course of the hearings we viewed slides of horribly battered children who have been brought to hospitals for treatment; and this week Senator STAFFORD, my colleague on the subcommittee, and I visited the D.C. Children's Hospital ward where battered children are treated.

In my years in the Senate I have never seem more compelling evidence as I have in this last week that immediate action is required on a problem. One grisly story after another appears in the Washington papers. For example, an infant died recently after being returned to a home which the authorities knew was not safe.

Because of the urgent need for effective action to end child abuse, I am particularly pleased to see that the two Washington daily newspapers have indicated on their editorial pages their concern that steps be taken to end child abuse. I ask unanimous consent that editorials which appeared in the Washington Star-News on April 2 and in the Washington Post on April 1 be printed in the RECORD.

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

[From The Evening Star, April 2, 1973]

#### THE BATTERED CHILDREN

Of all the loathsome happenings we can remember in this area, none was more repelling than this latest rash of child-abuse incidents, two of which resulted in the deaths of children and conviction of adults. Now there's a new charge in Montgomery County, against parents whose three-months-old baby died last week. No one can presume to judge guilt or innocence in that case. But this whole subject was brought into chilling focus the other day before a Senate subcommittee.

Anyone who saw the film slide presentation before that panel will never forget it. Indeed a good many people in that committee room diverted their eyes, so unbearable were the pictures being shown by a team of specialists from Children's Hospital. Those who watched saw a procession of infants and pre-teen children who had been brutally tortured—beaten, burned, scalded, wounded with forks and other instruments. Some had broken limbs. These things were suffered at the hands of parents and guardians, and it all happened here in the Washington area.

Worst of all, these cases apparently represented just a fraction of the whole picture. Dr. Robert H. Parrott, director of Children's Hospital, said the facility handled about 100 of the 150 child abuse cases reported in the District last year, "and we estimate there are three times that many occurring each year, but going undetected."

And in Montgomery County, suspected child abuse cases reported thus far this year exceed half the number for all of 1972, and are more than double those for 1971. This probably reflects an improvement of reporting more than an increase of abuse, because the area was startled into a recognition of the problem. The death of nine-year-old Donna Anne Stern under horrifying circumstances, and the murder conviction of her stepmother last month, didn't escape the attention of very many Montgomery coun-

tians. About half of this year's suspected cases have been reported by the school system, which has acquired a keener awareness of its obligation in this field.

But still there are serious shortcomings. Professional forces dealing with this dilemma—especially in the social and psychiatric services—are badly understaffed. Sometimes there has been poor communication between the responsible agencies. Some children who might have been saved from injury or death haven't been removed from abusive homes in time. And deficiencies of law deserve much blame, too. In Maryland, protective services workers don't have authority to enter a home, to investigate possible child abuse, without a warrant. Other citizens often hesitate to speak up for fear they won't have legal immunity in reporting abuse cases. However, these drawbacks, and some others, would be removed by legislation now before the General Assembly. This session should produce new law to speed the identification and psychiatric treatment of child abusers, and afford better protection for the children.

The need for a strong federal assault on this problem is apparent, though, for most states are lagging dismally while children suffer. Senator Walter Mondale, whose subcommittee heard and viewed the grim testimony last week, has the most promising plan. He would establish a National Center and a National Commission on Child Abuse and Neglect, and require the states to draw up acceptable plans for remedial programs. Congress should approve this approach, along with enough funding to assist the states on a major scale.

[From the Washington Post, Apr. 1, 1973]

#### CARING FOR BATTERED CHILDREN

This much anyway the community owes to JoAnna Stern, the Montgomery County woman found guilty of killing her 9-year-old stepdaughter by a series of tortures almost too terrible to consider: a heightened awareness of the reality of child abuse and of the wholly inadequate measures we have devised to deal with it. As these particular horrors go and case by case, Mrs. Stern's behavior toward the child who died would have to be considered atypical—most child abuse is far less calculated and grotesque than that in which she engaged. But the part of the story that was, in its special way, most horrifying was also the part that was not atypical, the part about the manner in which responsible officials of the county, once alerted to the danger the child was in, still failed to take steps to rescue her in time. We quote a memorable passage from LaBarbara Bowman's account of the trial in The Post:

"... a county policewoman told how she ... tried without success to get the county's family services department to take an active role in the affairs of the troubled family."

The particular combination of lethargy and confusion that characterized this performance is hardly unique to the area we live in. The fact is that nationwide the relevant authorities have been slow to recognize the dimension of the problem of child abuse and slow to take advantage of the methods available for detecting its incidence and preventing terrible damage from being done. But that should not be much comfort and still less inspiration to the people of this area who have been reading daily about local cases of child abuse in which horrendous crimes are committed against infants and young children and in which horrendous mistakes may be made by those charged with protecting them.

The Child Abuse Team of Children's Hospital provided some incisive testimony before Senator Mondale's Subcommittee on Children and Youth the other day, outlining the steps that we should be taking to protect the

helpless victims of these crimes. And while they described some progress, they also described the severe limitations on action that proceed from the fact that many of the relevant authorities are under-funded, under-staffed and under-informed. Police, judges, lawyers, government workers and medical people, according to the Children's Hospital Team, could all use more education in known and available techniques for doing much better by the victims of child abuse.

In recommending a number of steps to be taken, the Children's Hospital Team did cite one giant step backwards the Department of Human Resources seems to be taking. It is the elimination of the corps of special protective services case workers who have been able to devote the requisite special and urgent attention to those children in distress. That group, rather than being enlarged and improved, is evidently to be disbanded, with the small caseload of each special protective service worker to be spread out among the overburdened case workers in other areas. As many of those observed, whose letters on this subject we printed Friday, there is something so senseless and misguided about this move as to defy reason. Emergency situations involving the lives of innocent and helpless children require emergency action—and action that is right the first time around. Can anyone have any doubts about that? A group of workers connected with Children's Hospital put the case against eliminating these special services succinctly and well: "The consequence could be an increase in irreparable damage and death to these children because they will be deprived of their right to specialized intervention... Remember, we are not dealing with social abstractions, but with life and death."

#### GROWING COST OF MILITARY WEAPON SYSTEMS

Mr. BENTSEN, Mr. President, on April 10, 1973, the distinguished and capable chairman of the Senate Armed Services Subcommittee on Research and Development, Senator Tom McINTYRE, addressed the National Security Industrial Association. The junior Senator from New Hampshire outlined some very critical questions in his speech concerning the growing cost of our military weapon systems.

As one who served for 2 years as a member of the Research and Development Subcommittee I know of the efforts made under Senator McINTYRE's direction to improve our procurement procedures and to insure that we maintain our technological lead in the area of national defense. Senator McINTYRE, however, has some hard words and sound advice for the Department of Defense and defense contractors as well, when he says that:

The crunch of Defense spending requires a greater awareness by industry and by the Defense Department, of the importance of running a tight operation. There no longer is room for golden handshaking, mutual backscratching, and accommodation.

To that I can only add a profound Amen. As defense dollars become more scarce, the dollars we spend on defense simply must be used more productively.

Senator McINTYRE is providing the Research and Development Subcommittee and the Nation with some sound, commonsense thinking on the problems facing our Defense Establishment today. I recommend his remarks to the Senate