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comprehensive safety requirements for cribs."

However, sources insist it was the Percy letter and the press stories that prodded the FDA into prompt action. According to one informed estimate, the FDA action probably was speeded up by two or three years.

The proposed FDA standard for slat spacing of 2¼ inches is stiffer than even consumer advocates had hoped for. If that is the final standard it would appear to eliminate the strangulation problem.

As proposed, the FDA standard would govern a number of other safety areas. Among other things it would require that there be no splintered wooden areas; no sharp hardware; no toys, decorations, or other attachments that do not meet federal safety standards.

And there is good news for perspiring fathers charged with assembling cribs. Under the proposed standards, each packaged crib must contain assembly instructions, parts, drawings, and specification.

[From the Washington Post, Feb. 21, 1973]

#### INFANTS, INCHES AND CRIB SAFETY

(By Morton Mintz)

A safety standard intended to prevent babies from strangling between the slats of their cribs is expected to be formally proposed by the Food and Drug Administration within a few weeks.

The FDA plan was disclosed yesterday by Sen. Charles H. Percy (R.-Ill.), who has crusaded for such action. The plan was also confirmed by the FDA.

As many as 200 infant deaths a year were attributed to faulty crib design by the National Commission on Product Safety in its final report in 1970. The FDA has cited much lower figures but relied, Percy protested, on a search of often incomplete coroners' reports.

The key to the problem is the width between the slats. The voluntary industry standard specifies a maximum of 3¼ inches. At least 15 per cent of all cribs sold fail to meet even that standard, Percy said.

In the Washington area, more than 50 per cent of the cribs sold violated the industry standard, according to a preliminary report on a survey cited by the senator.

The FDA standard, which has yet to receive final approval, is expected to make a 2½-inch spacing—almost an inch narrower—mandatory. A 2¼-inch width was recommended by a research team at the University of Michigan, but the FDA's Bureau of Product Safety said that tooling with which to meet that standard was lacking. The bureau also said there would be no loss of safety from 2½ inches.

The research team, in a study for the FDA, found that of 67 diapered infants up to 6½ months old: 38 (57 per cent) had a compressed buttocks diameter of 3¼ inches or less, 23 (34 per cent) 3 inches or less, 6 (9 per cent) 2½ inches or less, and 1 (1.5 per cent) 2¼ inches or less.

The danger of strangling arises when the infant slips feet-first through the slats.

The FDA standard, in addition to limiting maximum space between the slats, is expected to set minimum heights for rails, standardize interior dimensions, provide specifications for release mechanisms and other safety devices, regulate paint and surface coatings, eliminate "toe holds" for climbing out of cribs and forbid sharp edges and protrusions.

The Bureau of Product Safety said that it would submit the proposed standard to FDA counsel Peter Barton Hutt within three weeks. If Hutt's office approves the standard it would be published in the Federal Register for comment and then adoption.

The FDA retains jurisdiction over product safety until activation of the Commission on Product Safety. President Nixon signed a

law creating the commission last Oct. 28 but has yet to name its chairman and four members. He is reported to be planning to do so this week.

Percy said that implementation of the FDA proposal would be a "significant step forward." He previously has condemned "the agency's persistent unwillingness . . . to set minimum safety standards for infant cribs."

As for manufacturers, he said some have been "callous. . . willing to risk tragic injury by indecently cutting corners" to save the lumber adequate slats would require.

#### A TRIBUTE TO HARRY S TRUMAN

Mr. CHURCH. Mr. President, on Tuesday, February 6, when Members of this body rose in tribute to the late Harry S Truman, I was in Idaho and, therefore, could not participate. I would like to take this opportunity to pay tribute to one of America's finest statesmen.

From the small Missouri town of Lamar, where he was born, to the highest public office in this land, Mr. Truman was the kind of citizen who makes democracy work. He was a farmer, a railroad employee, a mail clerk for a newspaper, a bank bookkeeper, and a clothing store operator. From these humble beginnings, which molded his characteristic earthy style, Harry Truman became a U.S. Senator, a Vice President, and then the President of this Republic.

During his 10 years of service in the Senate, Harry Truman won recognition as chairman of the Special Committee To Investigate Contracts Under the National Defense Program. His alacrity saved the American taxpayer millions of dollars by exposing waste and corruption in procurement contracts. The relish and zeal with which he pursued his senatorial tasks made him most reluctant to leave the Senate. But destiny had much greater things in store for this Missourian. Three months after his election as Vice President, Franklin Roosevelt died, and Harry S Truman succeeded him as President of the United States.

History will accord our 33d President a prominent place for his contribution as President. During his first term in office, he was obliged to make some of the most difficult decisions of this century. America was still at war when Harry Truman entered the White House. But momentous occasions have often produced able and distinguished leadership. Harry Truman was no exception. In fact, the direction he gave set our national course for a generation to come.

Within his first 6 months as President, Mr. Truman presented to the Congress his "Fair Deal." Out of this prescription for social reform, the Nation was to adopt housing legislation to attack urban blight. The farm program was improved, social security was expanded, and the minimum wage was raised. His Presidency brought a new sensitivity toward the Federal Government's role in the field of civil rights.

His foreign policy soon established Harry Truman as a world leader. During his era, he called upon the generous instincts of the American people in creating public support for the Marshall plan. Harry Truman secured this country's participation in the United Nations, and

sought to uphold its writ with the Armed Forces of the United States in Korea.

Americans will remember Harry Truman as much for his forthright and unassuming manner as for the accomplishments of his administration. They will remember him for his honesty and commonsense, which never failed him during the turbulent times he held the helm.

Thus, while historians record the momentous decisions of the Truman era, his contemporaries are more likely to recall the Harry Truman of Lamar, the man of humility and humanity, who once led them well.

#### CONTINUATION OF OEO

Mr. MONDALE. Mr. President, I am pleased to join in cosponsoring Senate Concurrent Resolution 12, introduced by the distinguished Senator from Wisconsin (Mr. NELSON) and the distinguished Senator from New York (Mr. JAVITS), expressing the sense of the Congress that the President continue OEO operations and the administration of its many vital programs, and that he submit a revised budget request to provide funding for OEO through fiscal year 1974.

The recent actions of OEO Acting Director Howard Phillips are yet another illustration of the administration's disregard of congressional intent and a blatant example of their willingness to act illegally to foster their own policy priorities.

In recent weeks, Mr. Phillips—who has not been confirmed, as required by law, by the Senate—has placed many programs on a month-to-month funding basis, has fired top officials in OEO's Legal Services programs, and has begun to phase out programs without congressional approval.

Last year, Congress made its intent clear that OEO programs would be continued at least through June of 1974. Now, in February of 1973, the administration is attempting to dismantle OEO programs without any consultation of Congress. These actions have been taken without submitting the name of the OEO Acting Director for senatorial advice and consent, and without submitting an executive reorganization plan, as required by law.

The impact of these actions on programs throughout the Nation will be disastrous. In Minnesota the OEO Community Action programs—which would be eliminated under the President's budget proposal—are estimated to serve over 210,000 persons. Yet these actions, affecting millions nationwide, are taken by this administration without observing either congressional prerogatives or the law.

With this concurrent resolution, we make a firm beginning in Congress drive to reclaim its authority in the area of OEO funding. Other legislative remedies may be necessary. Whatever is done, however, will require quick and effective action, if we are to save a program which has helped bring hope to millions over the past 8 years.

Mr. President, the Washington Post has accurately set out both the administration's disregard for the Congress and

the need for congressional action to save OEO. I ask unanimous consent that the Post editorial be printed in the RECORD.

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

[From the Washington Post, Feb. 22, 1973]

OEO: CATO STRIKES BY NIGHT

Ever since the administration appointed Howard Phillips to be acting director and dismantler of the Office of Economic Opportunity, its zeal to destroy that office has become less and less seemly. Consider two recent disclosures concerning the way the present heads of the organization think and operate. The first is a highly self-revelatory comment allegedly made by Mr. Phillips to Ted Teizlaff, the fired head of the Legal Services program, last summer.

"Every country needs its Cato . . . Well, I'm going to be this country's Cato. Carthage was destroyed because it was rotten. I think Legal Services is rotten, and it will be destroyed."

The second is an internal OEO memorandum discussing strategies for handling Congress as the process of dismantling OEO is accomplished. The memorandum says: "Thus, unless a focus on OEO is politically desirable, program transfers and shutdowns should be prompt, before the opposition musters strength (or will) to put Humpty Dumpty together again." And, again, the memorandum calls for "a swift and successful dismemberment" of OEO by June 30, before there is time for "congressional opposition to gather and develop a legislative counterstrategy."

Despite a statement from OEO that the memorandum was nothing more than a staff paper reflecting the views of only one man, the events set in train by Mr. Phillips since his assumption of the office a couple of weeks ago, suggest that the main lines of thought embodied in his personal statement and in the congressional strategy paper are rapidly being put into practice. Without going through all the gory details of the dismantling, a few examples of what has happened during Mr. Phillips' brief tenure will demonstrate the pattern.

On January 29, Mr. Phillips sent out a directive announcing the phase-out of the grants under section 221 of the Economic Opportunity Act, which provide general support for the Community Action Agencies. The President's fiscal year 1974 budget contains no item to support the Community Action Agencies (CAAs). In the same directive, Mr. Phillips forbade community action directors to use OEO funds to travel, presumably to hinder them from getting together to generate any kind of protest against his course of action. The directive also suspended appeals and hearing procedures generally provided in cases of refusals to refund. And, over in Legal Services, although there are promises that the administration will ask again for a corporation to shelter the program, the people in the field are being held on such a short financial tether that their morale is cracking. Some programs are borrowing money and others are closing down.

If bamboozling the Congress while cataloging the poverty programs and the hopes of the poor are indeed the aims of Mr. Phillips' program, then his efficiency and his success rival any governmental accomplishments we have seen in this town in a long time. Never mind that Congress may have intended something else, that the President's budget message seemed to promise continued Legal Services and never mind that workers are losing their jobs and the poor are losing hope. Under the Phillips assault, the walls are tumbling down.

But, that doesn't seem to be what Congress intended. Over the years, Congress

has tightened up the broad discretion originally delegated to the director of OEO with respect to CAAs to the extent that last year in authorizing fiscal '73 and fiscal '74 funds it also specifically earmarked local initiative—that is, basic support for the Community Action Agencies—for both fiscal years. And the Duration of the Program section of the act mandates the director to carry out the program, including Community Action, through June 30, 1975. Never mind the intent of Congress, though, the strategy paper takes care of all of that. Give Sen. Norris Cotton (R-N.H.) "courtesy advice only." Give Sen. Warren G. Magnuson (D-Wash.) courtesy advice because he is "not thoroughly acquainted with programs and concerned about duplication of HEW and labor activities."

There is touch-up strategy for a number of members of both Houses but mainly there are the admonitions to "avoid confrontation between the constitutional powers of the President and the Congress," to take the issues through the appropriations committees rather than those with legislative jurisdiction and, above all, to "present the Congress with a *fait accompli*." There is also arrogance and at least the appearance of lawlessness. There is impoundment and the apparent avoidance of the procedures Congress has set up for the reorganization of the government.

In a word, there is a brazen usurpation of the powers of Congress and as crass an assault on its prerogatives as we can imagine. All of this is being done by an administration which came to power on a law and order theme and by a director who has yet to utter a word of testimony before a congressional committee in confirmation hearings or elsewhere. The question finally comes down to whether the Congress has either the will or the initiative to stop this modern day Cato in his tracks. If it does not, it is not just the powers and the pride of the Congress that will have suffered—though suffer they surely will—it will be the poor who are blasted all over the landscape and it is our national decency and the quality of the fabric of the lives of all the rest of us that will have been severely eroded.

EXTENSION OF THE EDUCATION OF THE HANDICAPPED ACT

Mr. DOLE. Mr. President, I am supporting my colleague from West Virginia (Mr. RANDOLPH) in his bill to extend the Education of the Handicapped Act, public Law 91-230. I have only to look at the accomplishments made possible in my own State of Kansas to assume this position. Similar accomplishments to those of Kansas have also resulted in other States.

Kansas has an estimated 58,000 handicapped children. In fiscal year 1972 alone, approximately \$2.5 million in Federal dollars went to Kansas to assure that these handicapped children would receive the special education services they need. Still only about 50 percent of those 58,000 children are receiving necessary special services.

In addition to the money Kansas and other States receive under part B of this act which assists them in delivering appropriate classroom experiences for the full range of handicapped children, the Federal support to Kansas made possible the establishment of a model preschool program and a model learning disability center. These programs aim at radiating their impact throughout the State to

serve handicapped preschoolers and learning disabled children. An instructional media and materials center, which provides the specialized instructional methods and materials for handicapped children and their teachers, is busy responding. Research and demonstration support to the University of Kansas has resulted in the development of extensive and proven curriculum materials for immediate use by educators in training handicapped children to achieve basic social and personal living skills.

Federal aid both to the Kansas State Education Agency and to our colleges and universities in support of training special education personnel made possible the emergence a cadre of highly skilled special educators—an essential link in educating handicapped children.

Kansas needs our continued commitment to educational opportunity for handicapped children, as do all of our Nation's States.

PEACE DEPENDS ON AMERICA'S INTENTIONS

Mr. CHURCH. Mr. President, residents of Caldwell, Idaho, Diane and Michael Jones, recently returned from Vietnam after spending 2 years there at a civilian rehabilitation center sponsored by the American Friends Service Committee in Saigon. Diane Jones expressed her views of the Vietnam cease-fire in a recent article in the Intermountain, Idaho, Observer, which I should like to share with my Senate colleagues.

I ask unanimous consent that her article be printed here in the RECORD.

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

THE VIETNAM CEASE-FIRE: PEACE DEPENDS ON OUR INTENTIONS

(By Diane Jones)

What are the prospects for the settlement which President Nixon has declared will "bring peace with honor to Vietnam and Southeast Asia"? Henry Kissinger has called the cease-fire "fragile" and according to the press many leaders, including Idaho's Sen. Frank Church, are not convinced that the present cease-fire necessarily means an end to the war; they are waiting to watch the developments of the next few weeks. After years of fighting, most Vietnamese people desire peace more than anything else, but there was no cheering and dancing in the Saigon streets when the cease-fire was announced. The Vietnamese have seen other cease-fires come and go, and they, too, are waiting to see what happens.

For most Americans the major significance of the peace agreement seems to be that the U.S. is finally pulling out of the conflict and American P.O.W.'s are returning home. But is our government really pulling out? Though U.S. troops must be withdrawn within 60 days of the signing, thousands of U.S. civilians are staying behind in South Vietnam to take over many functions which U.S. military personnel once performed. Last November 25th the *New York Times* reported that the U.S. Department of Defense was planning to maintain on government contract 10,000 civilian advisors and technicians in the South after a cease-fire. According to the *Times* civilians were being hired for jobs that range from operating logistics computers for the Saigon army to training South Vietnamese Air Force pilots and repairing the complex military communications system left behind