

service jobs program and approved extended unemployment benefits to help those Americans most seriously hit by loss of income as the economy declines. The largest financial obligation borne by many of these individuals is their monthly mortgage payment, a bill which increasing numbers of homeowners are finding it difficult to pay without a full-time job. The legislation I am sponsoring is designed to protect these people's hard-earned equity until the economy recovers and the jobless return to work.

The Emergency Homeowners' Relief Act authorizes and directs the Secretary of Housing and Urban Development to defray mortgage payments for such distressed homeowners until they are able to reassume their own obligations. These are to be regarded as repayable loans, and the Secretary will be responsible for determining which homeowners are threatened with foreclosure and have reasonable prospects of eventually reimbursing the Government for all financial assistance received. The Secretary is empowered to establish a revolving fund for purposes of carrying out this act, and he is also given responsibility to set terms of repayment of the loans. The maximum duration for relief payments for one family is 2 years.

Mr. Speaker, I believe that it is incumbent upon the Federal Government to create this kind of temporary program to ease the threat to the principal financial investment of many thousands of American families. With unemployment rising, industrial production declining, and most other economic indicators depressed at this time, the country can ill afford a sharp upswing in mortgage foreclosures.

The Emergency Homeowners' Relief Act is a necessary and timely response to the threat of dislocation and tragedy for unknown numbers of American households in the months ahead. For those individuals who have already fallen behind with their monthly mortgage payments, help may come too late if we do not act now. I intend to press for early action on this measure, and I am gratified to have the support of so many of my colleagues in this endeavor.

Members joining me in sponsoring this legislation are Ms. ABZUG, Mr. ADDABBO, Mr. AMBRO, Mr. ANNUNZIO, Mr. BADILLO, Mr. BRAGGI, Mrs. BOGGS, Mr. BOWEN, Mr. BRADEMAS, Mr. BRODHEAD, Mr. BROWN of California, Mr. CARNEY, Mr. CARR, Mr. CARTER, Mrs. CHISHOLM, Mr. CLAY, Mrs. COLLINS, Mr. CONYERS, Mr. DIGGS, Mr. DRINAN, Mr. DUNCAN of Oregon, Mr. EDWARDS of California, Mr. EILBERG, Mr. FAUNTROY, Mr. FLOOD, Mr. FORD of Tennessee, Mr. FRASER, Mr. FULTON, Mr. FUQUA, Mr. GAYDOS, Mr. GONZALEZ, Mr. HAYS of Ohio, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mr. HICKS, Ms. HOLTZMAN, Mr. JENRETTE, Mr. JONES of North Carolina, Mrs. JORDAN, Mr. KARTH, Mr. LaFALCE, Mr. LEHMAN, Mr. LEVITAS, Mr. MAGUIRE, Mr. MATHIS, Mr. METCALFE, Mr. MEZVINSKY, Mr. MINETA, Mr. MITCHELL of New York, Mr. MITCHELL of Maryland, Mr. MOAKLEY,

Mr. MOORHEAD of California, Mr. MOORHEAD of Pennsylvania, Mr. MURPHY of New York, Mr. NEAL, Mr. NEDZI, Mr. NICHOLS, Mr. NIX, Mr. O'HARA, Mr. PATMAN, Mr. REES, Mr. RIEGLE, Mr. RISENHOOVER, Mr. ROSENTHAL, Mr. ROYBAL, Mr. RYAN, Mr. St GERMAIN, Mr. SEIBERLING, Mr. SIMON, Mr. SISK, Mr. SOLARZ, Mrs. SPELLMAN, Mr. STARK, Mr. STEPHENS, Mr. STOKES, Mr. STRATTON, Mr. STUDDS, Mrs. SULLIVAN, Mr. THOMPSON, Mr. TRAXLER, Mr. VANDER VEEN, Mr. VIGORITO, Mr. WILSON of California, and Mr. WRIGHT.

RAPE PREVENTION AND CONTROL ACT

Hon. Yvonne Brathwaite Burke

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 31, 1975

Mrs. BURKE of California. Mr. Speaker, rape is one of this Nation's fastest growing and least understood crimes. According to the 1973 Uniform Crime Report released by the FBI in August 1974 over 51,000 women were the victims of rape. This represents a 9 percent increase over 1972. The skyrocketing incidence of reported rapes, the inadequacy of current rape laws, the indignities often experienced by rape victims, and the low rate of rape convictions all point to the need for a national rape prevention effort.

In the 93d Congress I introduced legislation to establish the National Center for the Prevention and Control of Rape. This special center, to be located within the National Institute of Mental Health, would be responsible for financing and conducting research and demonstration programs into the causes, consequences, prevention, treatment, and control of rape. It would focus national attention on the growing threat of rape in the life of every American woman. Moreover, the National Center, in conjunction with the Justice Department, would study the rape laws themselves as well as the procedures surrounding the enforcement of those laws with the goals of determining the reasons for the low rate of rape conviction and drafting a model rape law.

The provisions of the Rape Prevention and Control Act were included as title VIII of the Health Revenue Sharing and Health Services Act, which passed both the House and the Senate in late 1974. The bill was, however, pocket vetoed by President Ford while Congress was adjourned.

I am reintroducing this legislation today with the hope that Congress will again take positive action and enact this bill into law this session. This legislation will help our Nation move toward a more responsible, more human system for dealing with rape victims and a more effective law for dealing with the perpetrators of this crime. It would help us move toward adequately protecting women's rights to physical security, to

peace of mind, and to move about as freely as men.

The text of the Rape Prevention and Control Act follows:

H.R. 2303

A bill to establish a National Center for the Prevention and Control of Rape and provide financial assistance for a research and demonstration program into the causes, consequences, prevention, treatment, and control of rape

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 "Rape Prevention and Control Act".

NATIONAL CENTER FOR CONTROL AND PREVENTION OF RAPE

SEC. 2. Section 11 of the National Mental Health Act (63 Stat. 421) is amended by inserting the subsection designation "(a)" immediately before the first sentence and by adding at the end thereof the following new subsections:

"(b) (1) The Secretary of Health, Education, and Welfare (hereinafter referred to as the 'Secretary') shall establish within the National Institute of Mental Health a center to be known as the National Center for the Control and Prevention of Rape (hereinafter referred to as the 'Center')."

"(2) The Secretary, acting through the Center, shall conduct a continuing study and investigation of—

"(A) the effectiveness of existing Federal, State, and local laws dealing with rape;

"(B) the relationship, if any, between traditional legal and social attitudes toward sexual roles, the act of rape, and the formulation of laws dealing with rape;

"(C) the treatment of the victims of rape by law enforcement agencies, hospitals, or other medical institutions, prosecutors, and the courts;

"(D) the causes of rape, identifying to the degree possible—

"(i) social conditions which encourage sexual attacks;

"(ii) motivations of offenders, and

"(iii) the impact of the offense on the victim and the families of the victim;

"(E) sexual assaults in correctional institutions;

"(C) the treatment of the victims of rape as compared to the reported cases and the reasons therefor; and

"(G) the effectiveness of existing private, and local and State government, education and counseling programs designed to prevent and control rape.

"(c) It shall be the duty of the Center to—

"(1) compile, analyze, and publish and annually submit, through the Secretary, to Congress a summary of the continuing study conducted under subsection (b) and the research and demonstration projects conducted under section 3 with recommendations where appropriate;

"(2) develop and maintain an information clearinghouse with regard to—

"(A) the prevention and control of rape;

"(B) the treatment and counseling of the victims of rape and their families; and

"(C) the rehabilitation of offenders;

"(3) compile and publish training materials for personnel who are engaged or intend to engage in programs designed to prevent and control rape.

"(d) For the purposes of carrying out the provisions of subsections (b) and (c) of this section there are authorized to be appropriated such sums as may be necessary.

"(e) Funds available to any department or agency of the Government for research

and development for the prevention and control of rape shall be available for transfer with the approval of the head of the department or agency involved, in whole or in part, to the Center for such use as is consistent for the purposes for which such funds were provided, and funds so transferred shall be expendable by the Center for the purposes for which the transfer was made.

"(f) For the purpose of this section and section 281 of the Community Mental Health Centers Act 'rape' shall include forcible, statutory, and attempted rape, homosexual assaults, and other criminal sexual assaults."

RESEARCH AND DEMONSTRATION PROJECTS

Sec. 3. The Community Mental Health Centers Act (42 U.S.C. 2681) is amended by adding at the end thereof the following new part:

"PART G—RAPE PREVENTION"

"Sec. 281. (a) The Secretary, through the National Center for the Control and Prevention of Rape, shall make grants to community mental health centers, nonprofit private organizations, and public agencies (determined by the Secretary to be qualified), for the purpose of conducting research and demonstration projects concerning the control and prevention of rape.

"(b) Projects funded under subsection (a) shall include but not be limited to—
 "(1) alternative methods of planning, developing, implementing, and evaluating programs used in the prevention and control of rape, the treatment and counseling of victims of rape and their families, and the rehabilitation of offenders;

"(2) application of methods developed under paragraph (1).

"(c) There are authorized to be appropriated for carrying out the purposes of this part such sums as may be necessary.

"ADVISORY COMMITTEE"

"Sec. 282. (a) The Secretary shall establish an advisory committee to advise, consult with, and make recommendations to him on matters relating to rape prevention and control.

"(b) The provisions relating to the composition, terms of office, and reappointment of members of the advisory councils under section 432(a) of the Public Health Service Act shall be applicable to the committee established under this section, except that the Secretary may include on such committee such additional ex officio members as he deems necessary."

SENATE—Monday, February 3, 1975

The Senate met at 12 o'clock meridian and was called to order by the Vice President.

PRAYER

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

O Lord of all life, God of our creation and redemption, grant unto us a full measure of Thy grace as we undertake the tasks of a new week. Undergird each of us who labor in the Halls of Government that we may be men and women "for others," ever mindful of Him who worked with saw and hammer, who taught and healed, who took the towel and wiped His disciples' feet, forever showing us the way of humility and service. In tasks great and small may we live in the spirit of His example certain that whoever "is greatest among you shall be your servant." So serving may we lift the life of the Nation and do all things to Thy glory.

We pray in the Redeemer's name. Amen.

THE JOURNAL

Mr. ROBERT C. BYRD, Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, January 30, 1975, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. ROBERT C. BYRD, Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VII, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. ROBERT C. BYRD, Mr. President, I ask unanimous consent that all com-

mittees be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

LEAVE OF ABSENCE

Mr. ROBERT C. BYRD, Mr. President, Mr. MANSFIELD will be officially absent today. Therefore, I ask unanimous consent, in accordance with rule V of the Standing Rules of the Senate, that the distinguished majority leader be granted a leave of absence during the session today.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. ROBERT C. BYRD, Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

(Subsequently this order was modified to adjourn until 12 noon on Wednesday.)

PRIVILEGE OF THE FLOOR

Mr. ROBERT C. BYRD, Mr. President, I yield to the distinguished Senator from California, out of the time allotted to the majority leader or his designee.

Mr. CRANSTON. I thank the Senator. Mr. President, I ask unanimous consent that Robert Barnett, of Senator MONDALE's staff, and Roy Greenaway and Murray Flander, of my staff, may have the privilege of the floor during today's session of the Senate.

Mr. ROBERT C. BYRD, Mr. President, reserving the right to object—

Mr. CRANSTON. I am asking this permission for any time during which anything might occur with respect to rule XXII, which I interpret as meaning any time the Senate is in session—any time that measure is before the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. ROBERT C. BYRD, Mr. President, I yield back the remainder of my time under the order.

The VICE PRESIDENT. Does the acting minority leader seek recognition?

Mr. DOMENICI. I do not, at this time, Mr. President.

The VICE PRESIDENT. Pursuant to the previous order, the Senator from Maryland is recognized for not to exceed 15 minutes.

FORCED BUSING OF SCHOOLCHILDREN

Mr. BEALL, Mr. President, last year Congress on a number of occasions debated the busing issue, and undoubtedly this issue will again be before the Congress this year.

Unfortunately, the debates on the issue thus far have produced a considerable amount of heat, but very little light.

The ugly headlines coming from Boston almost daily remind us of the strong opposition that our citizens have to forced busing used to achieve racial balances and demonstrate the disruption that such busing can have on educational systems and local communities, violence, rock throwing, school closings, and the image of students passing through metal detectors before being admitted to their class are chilling images and sobering events.

While Boston represents an extreme reaction, and all of us certainly condemn the violence that has occurred there, strong opposition, without the violence or violence to that extent, has been, in general, the rule across this country. It is high time that we stop, ask, and find out, "Is busing worth the price we are paying?" For example, the Boston busing, in my judgment, makes no sense from an educational standpoint.

Based on an article I recall from the Washington Post, it would appear that what is occurring in Boston is that students from blue-collar white neighborhoods are being bused to blue-collar black communities and vice versa. There is no educational basis to expect an in-