

looking people in a forward-looking country, but prisons in America are medieval. To call them correctional institutions is a cruel joke. With few exceptions, prisons in this country do not correct, they corrupt.

The tragedy at Attica began with a demand for humane prison conditions. The prisoners submitted a list of proposals, and the state correction commissioner agreed to 28 of them. As the commissioner himself pointed out, these proposals were not unreasonable: they called for better food, improved health and recreational facilities, true religious freedom, and a better rehabilitation program.

Unfortunately, Mr. Speaker, there had to be a riot before the prison administration would agree to these demands. That is the disgrace of Attica—disgrace that must be shared by almost every prison system in the country. In most places, prison life is subhuman life. More is at stake though than the lives of prisoners and correction officers who live and work in prisons. To a great extent the welfare of the country rides on our interest in prison reform. How many more riots must there be, how many more lives must be sacrificed to generate that interest?

This country spends a vast amount of money catching and trying criminals. It spends comparatively nothing to rehabilitate them, and that is more than curious. The entire process is becoming an exercise in futility. More than half of the people who are sent to jail and serve their sentences end up there some time later convicted of another crime. The police are catching the same criminals over and over again. This is not only a waste of money—it is a waste of lives.

This country's jails and prisons are so overcrowded, underfinanced, and understaffed that they cannot begin to rehabilitate the people sent there. They cannot even begin to treat them like human beings, and the correctional officers are not treated much better than the prisoners. Riots and rebellions in prisons should not really be surprising. It is sheer folly to let the prison system continue to be nothing more than graduate schools for crime, where prisoners learn new tricks of the trade, rather than a skill that might keep them out of jail for the rest of their lives.

It will take more than the uprising at Attica, more than just a change of attitude to change the facts of prisons in America. It will take money—just as it has taken money to improve the police departments—just as it is taking money to improve the courts. That is not happening yet; prisons are continually shortchanged. Earlier this year, the House cut funds from the Justice Department's prison budget, and that kind of thing is happening at the State level as well.

I hope that Congress will not wait for Attica II and Attica III—wherever and whenever they occur—to face its responsibility to examine the entire system of penal institutions. To focus attention on prison conditions and the need for reform legislation, my colleague from New York, Mr. Koch, and my colleague from California, Mr. Bell, and I are planning to form a task force on prison reform. It

is our urgent hope that other Members will join us in a bipartisan effort to make sure that what happened at Attica never happens again, to make sure that prisoners are never treated as less than human beings.

We simply cannot afford to wait any longer to do this. There are not jails enough nor jailers enough to contain the misery and desperation of our prisons. The inside of each prison is a battleground which pits men against themselves and other men, and ultimately against the society which put them there.

One such battle was fought this week at Attica, and we all lost.

We will continue to lose those battles until we are prepared to put some resources, some innovations, some concern and some very desperately needed reform into the entire penal system from beginning to end.

I would hope as a beginning the Judiciary Committee, on which I serve, would renew the hearings commenced earlier this year, again not to find scapegoats but to find a handle to this awful problem which can destroy us all.

Mr. MITCHELL. Mr. Speaker, will the gentleman yield?

Mr. MIKVA. I yield to my distinguished colleague from Maryland.

Mr. MITCHELL. I thank my distinguished colleague for yielding and I thank him for his courage in bringing this matter before this body by obtaining this special order.

Since I have been in the Congress there have been two or three national events which have shattered me at least momentarily, events which I believe have hurt many Members of this Congress and have traumatized the lives of many Americans. Mylai was one such event. Attica is another.

I only hope that this body will heed, listen to, and act on the recommendations being made by my distinguished colleague. There is something deep and sick and wrong about these events, and it is our responsibility to cure the sickness and to right the wrongness.

I associate myself with the gentlemen's remarks. I for one am deeply grateful that he has had the courage to bring them to this floor.

Mr. MIKVA. I thank my colleague. I am aware of his abiding concern about the problems of prison reform, and that his concern did not start with Attica or even other cause célèbre of riots and other events about the country. I am aware that for a long period of time he has been concerned about the problem within his own State and the country as well, and I am pleased he has taken part in this special order.

Mrs. ABZUG. Mr. Speaker, will the gentleman yield?

Mr. MIKVA. I yield to the distinguished gentlewoman from New York.

Mrs. ABZUG. I want to compliment the gentleman in the well for having taken this special order. As a Congresswoman from New York State—and just as an American—I can say that all Americans, including myself, have been shocked and saddened by the events of the past few days at Attica and in upstate New York.

There are some present indications

that investigations into what occurred there will be conducted by the State of New York. This will amount to the State investigating itself, despite the fact that there is the distinct possibility that the Governor and other officials of that State may themselves be highly culpable for both the conditions which led to the revolt by the prisoners and the handling of the rebellion itself.

There are conflicting reports as to what or who actually caused the deaths of the hostages, and the willingness to grant many of the prisoners' demands after the rebellion began is itself strong evidence that severe, if not brutal conditions at the penitentiary pushed the inmates to extreme action.

The perpetrators of the tragic deaths at Attica must be brought to justice. We must also take steps to assure that similar explosions do not spread to other penal institutions, not only in New York, but across the country as well. We must ascertain the facts and avoid the possibility of a whitewash which will only serve to incite other disturbances.

Because of the serious questions raised by having State panels investigate the actions of State officials, I have asked the distinguished chairman of the Judiciary Committee to consider holding hearings to investigate what happened at Attica. This request is made not only because I have doubts as to the ability of the State of New York to investigate in a manner which will be and will appear to be absolutely unbiased, but also because no investigation by a State government can possibly include within its purview the question of whether Federal legislation to protect the constitutional rights of prisoners and guards should be enacted.

Insofar as the possible need for Federal legislation is concerned, statutes such as sections 1983 and 1985(3) of title 42, United States Code, and their criminal analogues, sections 241 and 242 of title 18, United States Code have proven to be too vague to protect prisoners' rights. Section 3750b of title 42, United States Code, which sets forth requirements for correctional facilities receiving assistance from the Law Enforcement Assistance Administration, contains no provisions making this assistance contingent upon proper and constitutional conditions of incarceration. An investigation by the Judiciary Committee would, in my opinion, demonstrate quite clearly the need for legislation in this area.

I regret the failure of Governor Rockefeller and the members of his administration to act decisively in the area of penal reform prior to this incident. Surely last year's incidents at the Tombs, in New York City, were a warning that a convict is no more willing to live like an animal than is anyone else. Responsible groups such as the Fortune Society and Mr. William vanden Heuvel's Committee on Prisons have pointed this out on numerous occasions. Both the content of prisoners' demands and the fact that they were quickly granted in 28 out of 30 instances is evidence of how reasonable they were—two typical items were an increased number of black and Puerto Rican guards in an institution whose inmate population is