

toughest yet. It makes Van Nuys look like a piece of cake." The recession plus fierce competition from five other chicken chains in the California capital add up to a serious challenge.

But, Eddie's in high gear. Already he's developed (perfected now, he insists) a new product which boosted sales in three Sacramento locations by 18-22 percent a week. "With Pioneer behind me marketing this product, we can be Chicken King in Sacramento."

In the end, Eddie concludes that "only God knows for sure" if his six Sacramento stores will make him and his extended family comfortable forever. But, Eddie says, he has faith. "I don't intend to fail, I'm just gonna do it. I will make it." And that's when he'll settle down—with his music. "All the time, it's my therapy. My music is where I'm going."

Bon voyage, Eddie Mitchell. ●

THE DEATH PENALTY AND THE ROSENBERG CASE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 2, 1983

● Mr. EDWARDS of California. Mr. Speaker, June 19, 1983, will mark the 30th anniversary of the executions of Julius and Ethel Rosenberg. This seems to me an appropriate time to share with my colleagues testimony prepared by the National Committee to Reopen the Rosenberg Case and presented to the House Judiciary Subcommittee on Criminal Justice last December. I believe my colleagues will find the statement of National Committee Director Aaron Katz insightful and thought-provoking. The statement follows:

STATEMENT OF NCRRC ON "THE DEATH PENALTY AND THE ROSENBERG CASE"

[For record of Dec. 16, 1982, hearing]

The National Committee to Reopen the Rosenberg Case appreciates the opportunity afforded by this hearing and wishes to record its opposition and repudiation of capital punishment. It was a tragic effect of capital punishment which resulted in the establishment of our committee. To obviate the need for committees such as ours, we look forward to the total abolition of capital punishment, and to restoration of the integrity of American judicial processes.

We are opposed to capital punishment for many reasons, but this statement will deal with our primary concern, "the possibility of irreversible error," and its potential "cover-up" aftermath. Wrongly imprisoned people can be released, but wrongly executed people can never be restored to life.

Accused of being witches, many were executed by the Commonwealth of Massachusetts in the 1690's, in the hysterical atmosphere of the Salem Witch Hunts. It was too late to right the wrongs when sanity returned to the community. Sacco and Vanzetti were executed on August 22, 1927, and exactly fifty years later, the State of Massachusetts admitted error; wrongful executions. Fifty years too late, and no way to ameliorate the wrong; death is final.

June 19, 1983, will mark the 30th anniversary of the Rosenberg electrocutions. From the moment of their executions, no months before the executions of Julius and Ethel Rosenberg, evidence of massive fraud and

perjury of the chief prosecution witnesses began to mount. When the Second Circuit Court took note of "wholly reprehensible" prosecution conduct "which cannot be too severely condemned," there was still time to save the Rosenbergs' lives, if the Supreme Court had but listened to the pleas of Judges Learned Hand and Jerome Frank and granted certiorari. However, by the time the courts recognized, after the Supreme Court's Grunewald decision, that the Rosenberg trial had been marred by the prejudicial and unlawful questioning by Prosecutor Irving Saypol and Judge Irving R. Kaufman, it was many years too late.

Consider this: Judge Kaufman had ordered the executions with the "justification" that the Rosenbergs had stolen the secret of the atom bomb and transmitted it to the Soviet Union, and they thereby were responsible for the war in Korea and "untold millions" of lost lives in the future. When top atomic scientists proved that what had been described as "the secret of the atom bomb" was worthless, a hoax, a caricature, and the government admitted this in the federal courthouse in New York, it was much too late to restore the Rosenbergs to life. Furthermore, it denied Morton Sobell the new trial which would prove his innocence and the innocence of the Rosenbergs. It would have taken an unusually courageous court to order for Sobell the new trial required by conscience and by law, when such trial would confirm for the entire watching world that their pleas to spare the Rosenbergs had been more than justified, and that our refusal to look amounted to legal murder.

As in the case of Sacco and Vanzetti, the Rosenberg case shows how capital punishment may be followed by cover-up, degrading an entire judicial system. It explains why honorable Supreme Court Justices Douglas and Frankfurter and Black protested the executions so passionately, and why the Supreme Court majority would close its eyes and its ears, refusing to review "the case of the century." The very day of the executions Justice Black voiced his bitter protest: "This court has never reviewed this record and has never affirmed the fairness of the trial below. . . . There will always be doubts."

To protect the cover-up, a U.S. President, Dwight Eisenhower, had to lie to protesting dignitaries in denying clemency, falsely claiming that all the courts had affirmed the fairness and appropriateness of the death sentences. And, as evidence accumulated of prosecution forgery, perjury and fraud, decent judges had to sacrifice their integrity, denying their principles, to protect their colleague's cover-up.

Fortunately, this country is blessed with a system of checks and balances. There are Judiciary Committees which have the authority to look into this cover-up, and to help with necessary legislation to restore the integrity of our judicial processes. Over one hundred law professors, led by Harvard Law School Professor Vern Countryman, have called upon the Senate and House Judiciary Committees to examine the prosecutorial role of Judge Kaufman in the trial, the sentences, and the cover-up resulting from this case of capital punishment. Appointment of a Commission of Inquiry by the House Judiciary Committee, to study and report on the Rosenberg Case, would be a desirable step in the right direction.

The National Committee to Reopen the Rosenberg Case urges your Committee, in considering the matter of capital punishment, to carefully examine the Rosenberg case and its aftermath. We are confident that such examination will prove the desirability of abolition. It will also demonstrate

the need to reexamine the Rosenberg case and to establish the truth of the innocence of the Rosenbergs and Morton Sobell. In Sobell's case, partial amelioration is still possible, when he receives the full pardon which is his due. ●

KEY CONCEPTS CONCERNING THE MARTINEZ VA PREMEDICAL PROGRAM UNDER THE DIRECTION OF MICHAEL C. GEOKAS, M.D., PH.D.

HON. BARBARA BOXER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 2, 1983

● Mrs. BOXER. Mr. Speaker, I would like to bring to the attention of the House a program for premedical students being conducted at the Veterans' Administration Hospital at Martinez, Calif., under the direction of Michael Geokas, M.D., Ph.D.

Recently I visited this hospital to view the program in action and was tremendously impressed with what it is doing for our young people who are interested in pursuing a career in medicine.

The program stresses affirmative action for minorities and women and is a program which well might be adopted throughout the country.

At this point I would like to include in the RECORD a review of this program.

1. This is a leadership, self-discipline, and self-development program for premedical students, mainly women and members of minority groups.

2. This is an affirmative action program for minorities and women.

3. Students come from Bay Area colleges and universities.

4. The program consists of lecture overviews on clinical medicine and basic sciences, volunteer work at the Martinez VA Medical Center, counseling sessions for the students, and lectures on topics of interest by prominent citizens, elected officials, journalists, and Medical School faculty.

5. All participating faculty and students are volunteers.

6. The students are exposed first-hand to the intricacies of the hospital environment and have an opportunity to develop the empathy required to make a good physician and to understand the humanistic aspects of medicine.

7. The students are taught before entering medical school about the absolute requirement of complete dedication and the need to become perpetual students.

8. They are taught early about the significance of patient-doctor relationships, and the fact that high technology dehumanizes patient care; they are taught respect and compassion for the sick, the young, and especially the old and helpless.

9. Emphasis is placed on the need for more women and minorities to become physicians by meeting the competition for medical school admission.

10. Encouragement of minority students is constant and the significance of continuous efforts in improving scholastic achievement is emphasized.

11. The results have been extremely rewarding and large numbers of women and

minorities have been admitted to medical school.

12. Great emphasis is placed on family relationships and the need for students to obtain and maintain the support of their parents in their efforts for medical school admission.

13. This program helps the students to evaluate if they really have the stamina and the willingness to make the enormous commitment required to become a physician.

14. Thus, the program constitutes a good method for candidate selection for medical school. Students who do not possess the needed qualities of dedication and perseverance drop out quickly and follow other less demanding careers.

15. This type of program should be developed by medical centers and hospitals throughout the U.S. for a practical and rational selection of the appropriate candidates for medical school.

16. With early premedical school conditioning, dropping out of medical school can be avoided and that better selection of suitable candidates can be achieved.

17. The Premedical Program at Martinez is unique in this nation. It provides early exposure to hospital environments, direct teaching by medical school faculty, emphasis on community and public service, on compassion for the sick, and on self-discipline. It increases awareness of many different areas of medicine: Habit-induced diseases (e.g. smoking, drug abuse, alcoholism, and obesity), child abuse and detection, geriatrics, and problems of the profession such as cost effectiveness and medical ethics.

This type of program should be implemented across the United States. Medical centers should organize these programs so that they can attract the cream of the crop among the young who will become fine physicians in the new environment of high technology, regulations, paperwork, malpractice threats, and increased demand for accountability. ●

RETAINING REGULATIONS TO PROVIDE BETTER TV PROGRAMING

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 2, 1983

● Mr. PHILIP M. CRANE, Mr. Speaker, I recently joined my colleague, Mr. HENRY WAXMAN, in support of his bill, H.R. 2250, to prevent the FCC from repealing the network financial interest and syndication rules for a 5-year period.

At this time, these rules are critical to our Nation's ongoing effort to bring more competition to the television industry and more program diversity to the American public. I support H.R. 2250 because it keeps in effect regulation that prohibits the three television networks from controlling the domestic rerun rights to programs they broadcast and thereby diminishing competition and diversity.

Concern has been expressed by some individuals that without repeal, the rules will harm and perhaps bring an end to "free" television. If this were the case, I would not favor such legis-

lation. Television networks are portraying themselves as helpless underdogs who cannot compete with cable television and other video technologies. In addition they are trying to convince us that the American public will be robbed of "free" TV.

Let us look at the true situation. Networks currently are the prime-time choice of 80 percent of all Americans, and by CBS own estimates, they will still command 70 percent of the national viewing audiences by 1990. This is with the current rules in effect. Under H.R. 2250, the FCC would be able to consider repeal of the rules by 1988.

Networks also use the argument that they cannot compete with new technologies, especially the new pay systems. However, not only are network profits in the billions, but they are also being allowed to own a growing fraction of the Nation's cable and pay systems as well. Pay systems are at best a distant threat to the networks. The real competition is not pay TV, but independent television stations. These rules prohibit the networks from taking away a program producer's syndication rights—for example, the rerun rights to individual M*A*S*H episodes after the initial network broadcast contract is fulfilled. The prime-time access rule allows network-affiliated stations to control at least some portion of the prime time programing schedule.

Repeal of the rules could force small independent production companies and many independent TV stations—those not affiliated with networks—out of business. While large production companies might survive the repeal, they would be less likely to take substantial risks on new, creative programing. The rules promote program diversity by not only strengthening the role of independent television stations, but also by protecting the rights of independent program producers, thus helping to insure more diverse sources of programing.

With repeal, networks could very easily refuse to sell programs. After all, since they are competing against independent stations—which are all free TV stations—their real incentive would be to hold the syndications thus causing the rating points to go up for the networks. You must keep in mind that we are talking about several hundred thousand dollars per rating point.

With repeal, it could well be the end of competition by not only giving networks just more control, but virtually complete control. These rules were adopted in 1970 to promote the public interest in fair competition and diversity in prime-time TV programing. Before 1970 the FCC found that the networks had used their control over the television industry by determining not only what most Americans saw on TV but what they could not see. The Justice Department followed with antitrust suits, charging the three national networks with controlling the

entire network television program production process, from idea through exhibition.

These rules have partially offset the overwhelming dominance of the networks. Yet as both purchasers and distributors of programing, they still dominate the TV industry today. The operation of the rules is simple. They prohibit the networks from taking away a program producer's syndication rights. Currently producers sell programs to networks, usually at a loss, and then hope to make money later with syndication sales. If a show is not successful enough to be syndicated, the producer has simply lost the amount in excess of the license fee. If however, after several years of network exhibition, the show is syndicated, the producer will recover his losses and earn a profit. The networks, on the other hand, immediately recover their investment in a program through advertising dollars.

A phasein of deregulation would be more warranted because the level of competition in the video market today does not justify lifting those rules which were carefully designed to protect the public interest from the lack of competition now facing the networks.

These rules must not be repealed until the marketplace is better able to provide the additional diversity and competition necessary to serve the public interest. It is clear that rather than serving the goals of competition and diversity, repeal will undermine the competitive strength and vitality of alternatives to network programing. ●

FINANCIAL VOYEURISM

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 2, 1983

● Mr. FRENZEL, Mr. Speaker, in the May 31 Post, Carl Rowan had a piece captioned "Financial Voyeurism." In it, he asks, "Does anyone believe that requiring these kinds of reports—required financial reports for legislative, executive, and judicial branch personnel—guarantees us better government?" His own answer is that he is unconvinced.

So am I. I believe it is time to revise, and sharply curtail financial disclosure requirements. It may be helpful to disclose certain assets, but not in the fine detail now demanded. Income derived as a result of congressional service—honoraria, royalties, and so forth—should be reported, but most other income should not. Holdings of spouses should be exempt from reporting, too. That requirement is a hold-over from another era. I respectfully suggest that the Speaker appoint an ad hoc, staffless task force to make recommendations for substantial